

<b>1998</b>	<b>2006</b>	<b>Differences/Comments</b>
<p><b>SECTION 1. SHORT TITLE; TABLE OF CONTENTS.</b></p> <p>“(a) Short Title.--This &lt;&lt;NOTE: 20 USC 2301 note.&gt;&gt; Act may be cited as the ‘Carl D. Perkins Vocational and Technical Education Act of 1998’.</p>	<p><b>SECTION 1. SHORT TITLE; TABLE OF CONTENTS.</b></p> <p>“(a) Short Title.--This Act may be cited as the ‘Carl D. Perkins Career and Technical Education Act of 2006’.</p>	<p><b>“Career and technical education” replaces vocational and technical education terminology throughout the entire Act.</b></p>
<p><b>SEC. 2. &lt;&lt;NOTE: 20 USC 2301.&gt;&gt; PURPOSE.</b></p> <p>“‘The purpose of this Act is to develop more fully the academic, vocational, and technical skills of secondary students and postsecondary students who elect to enroll in vocational and technical education programs, by--</p> <p>“(1) building on the efforts of States and localities to develop challenging academic standards;</p>	<p><b>SEC. 2. PURPOSE.</b></p> <p>“‘The purpose of this Act is to develop more fully the academic and career and technical skills of secondary students and postsecondary students who elect to enroll in career and technical education programs, by--</p> <p>“(1) building on the efforts of States and localities to develop challenging academic and technical standards, including preparation for high skill, high wage, or high demand occupations in current and emerging professions;</p>	<p><b>Added a specific focus on both academic and technical standards linked to “high skill, high wage, or high demand occupations in current and emerging professions.”</b></p>
<p>“(2) promoting the development of services and activities that integrate academic, vocational, and technical instruction, and that link secondary and postsecondary education for participating vocational and technical education students;</p>	<p>“(2) promoting the development of services and activities that integrate rigorous and challenging academic and career and technical instruction, and that link secondary and postsecondary education for participating career and technical education students;</p>	<p><b>Added the term “rigorous and challenging” to describe instruction that is to be supported with Perkins funds.</b></p>

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“(3) increasing State and local flexibility in providing services and activities designed to develop, implement, and improve vocational and technical education, including tech-prep education; and	“(3) increasing State and local flexibility in providing services and activities designed to develop, implement, and improve career and technical education, including tech-prep education; and	<b>No change.</b>
“(4) disseminating national research, and providing professional development and technical assistance, that will improve vocational and technical education programs, services, and activities.	“(4) conducting and disseminating national research and disseminating information on best practices that improve career and technical education programs, services, and activities;	<b>This language provides the authority for NAVE and the National Centers. Technical assistance is pulled out as a separate statement for additional emphasis.</b>
	“(5) providing technical assistance that -  (A) Promotes leadership, initial preparation, and professional development at the state and local levels; and  (B) improves the quality of career and technical education teachers, faculty, administrators, and counselors;	<b>Added a new bullet to the purpose section to call attention to the importance of providing technical assistance. The Act indicates specific areas where technical assistance should be emphasized: support for leadership, initial teacher preparation, and professional development focused on improving the quality of CTE personnel.</b>
	(6) supporting partnerships among secondary schools, postsecondary institutions, baccalaureate degree granting institutions, area career and technical education schools, local workforce investment boards, business and industry, and intermediaries; and	<b>Added a new bullet to the purpose section regarding partnerships. This emphasis in the purpose statement indicates the criticality of including all partners in the planning and implementation of the Act –at both the state and local levels.</b>

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	(7) providing individuals with opportunities throughout their lifetimes to develop, in conjunction with other education and training programs, the knowledge and skills needed to keep the United States competitive.	<b>Added a new bullet to the purpose section that calls attention to the focus on closing the skills gap and keeping the U.S. competitive in the global economy.</b>
<p><b>SEC. 3. DEFINITIONS.</b></p> <p>``In this Act:</p> <p>``(1) <b>Administration.</b>--The term `administration', when used with respect to an eligible agency or eligible recipient, means activities necessary for the proper and efficient performance of the eligible agency or eligible recipient's duties under this Act, including supervision, but does not include curriculum development activities, personnel development, or research activities.</p>	<p><b>SEC. 3. DEFINITIONS.</b></p> <p>``Unless otherwise specified, in this Act:</p> <p>``(1) <b>ADMINISTRATION.</b>--The term `administration', when used with respect to an eligible agency or eligible recipient, means activities necessary for the proper and efficient performance of the eligible agency or eligible recipient's duties under this Act, including the supervision of such activities. Such term does not include curriculum development activities, personnel development, or research activities.</p>	<b>No change.</b>
<p>``(2) <b>All aspects of an industry.</b>--The term `all aspects of an industry' means strong experience in, and comprehensive understanding of, the industry that the individual is preparing to enter.</p>	<p>``(2) <b>ALL ASPECTS OF AN INDUSTRY.</b>--The term `all aspects of an industry' means strong experience in, and comprehensive understanding of, the industry that the individual is preparing to enter, including information as described in</p>	<b>No change.</b>

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	section 118.	
<p><b>“(3) Area vocational and technical education school.--</b>The term ‘area vocational and technical education school’ means--</p> <p>-</p> <p>“(A) a specialized public secondary school used exclusively or principally for the provision of vocational and technical education to individuals who are available for study in preparation for entering the labor market;</p> <p>“(B) the department of a public secondary school exclusively or principally used for providing vocational and technical education in not fewer than 5 different occupational fields to individuals who are available for study in preparation for entering the labor market;</p> <p>“(C) a public or nonprofit technical institution or vocational and technical education school used exclusively or principally for the provision of vocational and technical education to individuals who have completed or left secondary school and who are available for study in preparation for entering the labor market, if the</p>	<p><b>“(3) AREA CAREER AND TECHNICAL EDUCATION SCHOOL.--</b>The term ‘area career and technical education school’ means--</p> <p>“(A) a specialized public secondary school used exclusively or principally for the provision of career and technical education to individuals who are available for study in preparation for entering the labor market;</p> <p>“(B) the department of a public secondary school exclusively or principally used for providing career and technical education in not fewer than 5 different occupational fields to individuals who are available for study in preparation for entering the labor market;</p> <p>“(C) a public or nonprofit technical institution or career and technical education school used exclusively or principally for the provision of career and technical education to individuals who have completed or left secondary school and who are available for study in preparation for entering the labor market, if the institution</p>	<p><b>No change.</b></p>

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<p>institution or school admits as regular students both individuals who have completed secondary school and individuals who have left secondary school; or</p> <p>“(D) the department or division of an institution of higher education, that operates under the policies of the eligible agency and that provides vocational and technical education in not fewer than five different occupational fields leading to immediate employment but not necessarily leading to a baccalaureate degree, if the department or division admits as regular students both individuals who have completed secondary school and individuals who have left secondary school.</p>	<p>or school admits, as regular students, individuals who have completed secondary school and individuals who have left secondary school; or</p> <p>“(D) the department or division of an institution of higher education, that operates under the policies of the eligible agency and that provides career and technical education in not fewer than 5 different occupational fields leading to immediate employment but not necessarily leading to a baccalaureate degree, if the department or division admits, as regular students, both individuals who have completed secondary school and individuals who have left secondary school.</p>	
<p><b>SEC. 202. DEFINITIONS. – TECH PREP</b></p> <p>“(a) In this title:</p> <p><b>“(1) ARTICULATION AGREEMENT.</b>—The term ‘articulation agreement’ means a written commitment to a program designed to provide students with a nonduplicative sequence of progressive achievement leading to degrees or certificates in a tech-prep education program.</p>	<p>“(4) <b>ARTICULATION AGREEMENT.</b>--The term ‘articulation agreement’ means a written commitment--</p> <p>“(A) that is agreed upon at the State level or approved annually by the lead administrators of--</p> <p>“(i) a secondary institution and a postsecondary educational</p>	<p><b>Definition of an “articulation agreement” was previously in Title II. It was added to section 3 because articulation agreements are incorporated into both Title I and II in this Act.</b></p> <p><b>This definition increases the expectations for what an articulation agreement is by adding in the annual review, noting the agreement must be in writing and requiring approval by the lead secondary and postsecondary administrators. This sign off is intended to call attention to the policy issues that prevent smooth transition among the learner levels.</b></p>

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	<p>institution; or</p> <p>“(ii) a sub baccalaureate degree granting postsecondary educational institution and a baccalaureate degree granting postsecondary educational institution; and</p> <p>“(B) to a program that is--</p> <p>“(i) designed to provide students with a nonduplicative sequence of progressive achievement leading to technical skill proficiency, a credential, a certificate, or a degree; and</p> <p>“(ii) linked through credit transfer agreements between the 2 institutions described in clause (i) or (ii) of subparagraph (A) (as the case may be).</p>	<p><b>The articulation agreement must lead to the attainment of a technical skill proficiency, a credential, a certificate, or a degree as well as incorporate credit transfer among the institutions.</b></p>
<p><b>“(29) VOCATIONAL AND TECHNICAL EDUCATION.—</b> The term ‘vocational and technical education’ means organized educational activities that— “(A) offer a sequence of courses that provides individuals with the academic and technical knowledge and skills the individuals need to</p>	<p><b>“(5) CAREER AND TECHNICAL EDUCATION.--</b> The term ‘career and technical education’ means organized educational activities that--</p> <p>“(A) offer a sequence of courses that--</p>	

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<p>prepare for further education and for careers (other than careers requiring a baccalaureate, master's, or doctoral degree) in current or emerging employment sectors; and</p>	<p>“(i) provides individuals with coherent and rigorous content aligned with challenging academic standards and relevant technical knowledge and skills needed to prepare for further education and careers in current or emerging professions;</p> <p>“(ii) provides technical skill proficiency, an industry-recognized credential, a certificate, or an associate degree; and</p> <p>“(iii) may include prerequisite courses (other than a remedial course) that meet the requirements of this subparagraph; and</p>	<p><b>Inserts “coherent and rigorous” when referring to the academic and technical content that is part of CTE.</b></p> <p><b>The focus on preparation for sub baccalaureate careers is removed. This will not impact the focus of the funding; instead this allows the CTE definition to more accurately define the enterprise.</b></p> <p><b>The addition of the language regarding technical skill proficiency, an industry-recognized credential, a certificate, or an associate degree in this definition emphasizes the criticality of ensuring that CTE programs result in skills that are valued by the marketplace.</b></p> <p><b>The addition of this language was intended to allow students to take courses that prepare them to enroll in a CTE program of study. Remedial courses are explicitly removed from the definition. This is a significant change.</b></p>
<p>“(B) include competency-based applied learning that contributes to the academic knowledge, higher-order reasoning and problem-solving skills, work attitudes, general employability skills, technical skills, and occupation-specific skills, of an individual.</p>	<p>“(B) include competency-based applied learning that contributes to the academic knowledge, higher-order reasoning and problem-solving skills, work attitudes, general employability skills, technical skills, and occupation-specific skills, and knowledge of all aspects of an industry, including entrepreneurship, of an individual.</p>	<p><b>The addition of “knowledge of all aspects of an industry” to the CTE definition further emphasizes the evolution of CTE toward broader, more durable, skills taught through career clusters, pathway or programs of study.</b></p> <p><b>Entrepreneurship is called out as an important factor to be included when teaching all aspects of an industry.</b></p>

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<p><b>“(30) VOCATIONAL AND TECHNICAL STUDENT ORGANIZATION.—</b>  <b>“(A) IN GENERAL.—</b>The term ‘vocational and technical student organization’ means an organization for individuals enrolled in a vocational and technical education program that engages in vocational and technical activities as an integral part of the instructional program.  <b>“(B) STATE AND NATIONAL UNITS.—</b>An organization described in subparagraph (A) may have State and national units that aggregate the work and purposes of instruction in vocational and technical education at the local level.</p>	<p><b>“(6) CAREER AND TECHNICAL STUDENT ORGANIZATION.--</b>  <b>“(A) IN GENERAL.--</b>The term ‘career and technical student organization’ means an organization for individuals enrolled in a career and technical education program that engages in career and technical education activities as an integral part of the instructional program.  <b>“(B) STATE AND NATIONAL UNITS.--</b>An organization described in subparagraph (A) may have State and national units that aggregate the work and purposes of instruction in career and technical education at the local level.</p>	<p><b>No change.</b></p>
<p><b>“(4) CAREER GUIDANCE AND ACADEMIC COUNSELING.--</b>The term ‘career guidance and academic counseling’ means providing access to information regarding career awareness and planning with respect to an individual’s occupational and academic future that shall involve guidance and counseling with respect to career options, financial aid, and postsecondary options.</p>	<p><b>“(7) CAREER GUIDANCE AND ACADEMIC COUNSELING.--</b>The term ‘career guidance and academic counseling’ means guidance and counseling that--  <b>“(A)</b> provides access for students (and parents, as appropriate) to information regarding career awareness and planning with respect to an individual’s occupational and</p>	<p><b>Allows for counseling and guidance to serve and benefit parents as appropriate.</b></p>



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	<p>academic future; and</p> <p>“(B) provides information with respect to career options, financial aid, and postsecondary options, including baccalaureate degree programs.</p>	<p><b>Adds that information regarding “baccalaureate degree programs” will be offered to students/parents.</b></p>
<p><b>“(5) CHARTER SCHOOL.—</b> The term ‘charter school’ has the meaning given the term in section 10306 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8066).</p>	<p><b>“(8) CHARTER SCHOOL.--</b> The term ‘charter school’ has the meaning given the term in section 5210 of the Elementary and Secondary Education Act of 1965.</p>	<p><b>No change.</b></p>
<p><b>“(6) COOPERATIVE EDUCATION.—</b>The term ‘cooperative education’ means a method of instruction of education for individuals who, through written cooperative arrangements between a school and employers, receive instruction, including required academic courses and related vocational and technical education instruction, by alternation of study in school with a job in any occupational field, which alternation shall be planned and supervised by the school and employer so that each contributes to the education and employability of the individual, and may include</p>	<p><b>“(9) COOPERATIVE EDUCATION.--</b>The term ‘cooperative education’ means a method of education for individuals who, through written cooperative arrangements between a school and employers, receive instruction, including required rigorous and challenging academic courses and related career and technical education instruction, by alternation of study in school with a job in any occupational field, which alternation--</p> <p>“(A) shall be planned and supervised by the school and employer so that each contributes to the education and employability</p>	<p><b>No change.</b></p>

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<p>an arrangement in which work periods and school attendance may be on alternate half days, full days, weeks, or other periods of time in fulfilling the cooperative program.</p>	<p>of the individual; and</p> <p>“(B) may include an arrangement in which work periods and school attendance may be on alternate half days, full days, weeks, or other periods of time in fulfilling the cooperative program.</p>	
<p><b>“(7) DISPLACED HOMEMAKER.</b>—The term ‘displaced homemaker’ means an individual who—</p> <p>“(A)(i) has worked primarily without remuneration to care for a home and family, and for that reason has diminished marketable skills;</p> <p>“(ii) has been dependent on the income of another family member but is no longer supported by that income; or</p> <p>“(iii) is a parent whose youngest dependent child will become ineligible to receive assistance under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) not later than 2 years after the date on which the parent applies for assistance under this</p>	<p><b>“(10) DISPLACED HOMEMAKER.</b>--The term ‘displaced homemaker’ means an individual who--</p> <p>“(A)(i) has worked primarily without remuneration to care for a home and family, and for that reason has diminished marketable skills;</p> <p>“(ii) has been dependent on the income of another family member but is no longer supported by that income; or</p> <p>“(iii) is a parent whose youngest dependent child will become ineligible to receive assistance under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) not later than 2 years after the date on which the</p>	<p><b>No change.</b></p>

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<p>title; and</p> <p>“(B) is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment.</p>	<p>parent applies for assistance under such title; and</p> <p>“(B) is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment.</p>	
<p>“(8) <b>EDUCATIONAL SERVICE AGENCY.</b>—The term ‘educational service agency’ has the meaning given the term in section 14101 of the Elementary and Secondary Education Act of 1965.</p>	<p>“(11) <b>EDUCATIONAL SERVICE AGENCY.</b>--The term ‘educational service agency’ has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965.</p>	<p><b>No change.</b></p>
<p>“(9) <b>ELIGIBLE AGENCY.</b>—The term ‘eligible agency’ means a State board designated or created consistent with State law as the sole State agency responsible for the administration of vocational and technical education or for supervision of the administration of vocational and technical education in the State.</p>	<p>“(12) <b>ELIGIBLE AGENCY.</b>--The term ‘eligible agency’ means a State board designated or created consistent with State law as the sole State agency responsible for the administration of career and technical education in the State or for the supervision of the administration of career and technical education in the State.</p>	<p><b>No change.</b></p>
<p>“(10) <b>ELIGIBLE INSTITUTION.</b>—The term ‘eligible institution’ means—</p> <p>“(A) an institution of higher education;</p>	<p>“(13) <b>ELIGIBLE INSTITUTION.</b>--The term ‘eligible institution’ means--</p> <p>“(A) a public or nonprofit private institution of higher education that offers career and</p>	<p><b>Specifies that the institution of higher education must be either public or non-profit and must offer CTE courses. For-profit schools are ineligible.</b></p>

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<p>“(B) a local educational agency providing education at the postsecondary level;</p> <p>“(C) an area vocational and technical education school providing education at the postsecondary level;</p> <p>“(D) a postsecondary educational institution controlled by the Bureau of Indian Affairs or operated by or on behalf of any Indian tribe that is eligible to contract with the Secretary of the Interior for the administration of programs under the Indian Self-Determination Act or the Act of April 16, 1934 (48 Stat. 596; 25 U.S.C. 452 et seq.);</p> <p>“(E) an educational service agency; or</p> <p>“(F) a consortium of 2 or more of the entities described in subparagraphs (A) through (E).</p>	<p>technical education courses that lead to technical skill proficiency, an industry-recognized credential, a certificate, or a degree;</p> <p>“(B) a local educational agency providing education at the postsecondary level;</p> <p>“(C) an area career and technical education school providing education at the postsecondary level;</p> <p>“(D) a postsecondary educational institution controlled by the Bureau of Indian Affairs or operated by or on behalf of any Indian tribe that is eligible to contract with the Secretary of the Interior for the administration of programs under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) or the Act of April 16, 1934 (25 U.S.C. 452 et seq.);</p> <p>“(E) an educational service agency; or</p> <p>“(F) a consortium of 2 or more of the entities described in subparagraphs (A) through (E).</p>	<p><b>These CTE courses should lead to either a technical skill proficiency, an industry recognized credential, a certificate, or a degree; this further emphasizes that these institutions should be implementing programs of study not individual, unrelated courses.</b></p>
“(11) ELIGIBLE	“(14) ELIGIBLE RECIPIENT.-	

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<p><b>RECIPIENT.</b>—The term ‘eligible recipient’ means—</p> <p>“(A) a local educational agency, an area vocational and technical education school, an educational service agency, or a consortium, eligible to receive assistance under section 131; or</p> <p>“(B) an eligible institution or consortium of eligible institutions eligible to receive assistance under section 132.</p>	<p>-The term ‘eligible recipient’ means--</p> <p>“(A) a local educational agency (including a public charter school that operates as a local educational agency), an area career and technical education school, an educational service agency, or a consortium, eligible to receive assistance under section 131; or</p> <p>“(B) an eligible institution or consortium of eligible institutions eligible to receive assistance under section 132.</p>	<p><b>Specifically adds public charter schools that operate as an LEA as an eligible recipient.</b></p>
<p><b>“(12) GOVERNOR.</b>—The term ‘Governor’ means the chief executive officer of a State or an outlying area.</p>	<p><b>“(15) GOVERNOR.</b>--The term ‘Governor’ means the chief executive officer of a State.</p>	<p><b>No change.</b></p>
<p><b>“(13) INDIVIDUAL WITH LIMITED ENGLISH PROFICIENCY.</b>—The term ‘individual with limited English proficiency’ means a secondary school student, an adult, or an out-of-school youth, who has limited ability in speaking, reading, writing, or understanding the English language, and—</p> <p>“(A) whose native language is a language other than English; or</p>	<p><b>“(16) INDIVIDUAL WITH LIMITED ENGLISH PROFICIENCY.</b>--The term ‘individual with limited English proficiency’ means a secondary school student, an adult, or an out-of-school youth, who has limited ability in speaking, reading, writing, or understanding the English language, and--</p> <p>“(A) whose native language is a language other than English; or</p>	<p><b>No change.</b></p>

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“(B) who lives in a family or community environment in which a language other than English is the dominant language.	“(B) who lives in a family or community environment in which a language other than English is the dominant language.	
<p><b>“(14) INDIVIDUAL WITH A DISABILITY.—</b></p> <p>“(A) <b>IN GENERAL.</b>—The term ‘individual with a disability’ means an individual with any disability (as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102)).</p> <p>“(B) <b>INDIVIDUALS WITH DISABILITIES.</b>—The term ‘individuals with disabilities’ means more than 1 individual with a disability.</p>	<p>“(17) <b>INDIVIDUAL WITH A DISABILITY.--</b></p> <p>“(A) <b>IN GENERAL.--</b>The term ‘individual with a disability’ means an individual with any disability (as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102)).</p> <p>“(B) <b>INDIVIDUALS WITH DISABILITIES.--</b>The term ‘individuals with disabilities’ means more than 1 individual with a disability.</p>	No change.
<p><b>“(15) INSTITUTION OF HIGHER EDUCATION.—</b>The term ‘institution of higher education’ has the meaning given the term in section 101 of the Higher Education Act of 1965.</p>	<p>“(18) <b>INSTITUTION OF HIGHER EDUCATION.--</b>The term ‘institution of higher education’ has the meaning given the term in section 101 of the Higher Education Act of 1965.</p>	No change.
<p><b>“(16) LOCAL EDUCATIONAL AGENCY.—</b>The term ‘local educational agency’ has the meaning given the term in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).</p>	<p>“(19) <b>LOCAL EDUCATIONAL AGENCY.--</b>The term ‘local educational agency’ has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965.</p>	No change.
<p><b>“(17) NONTRADITIONAL TRAINING AND</b></p>	<p>“(20) <b>NON-TRADITIONAL FIELDS.--</b>The term ‘non-</p>	Changes term from “nontraditional training and employment” to “nontraditional fields” but retains the same definition.

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<p><b>EMPLOYMENT.</b>—The term ‘nontraditional training and employment’ means occupations or fields of work, including careers in computer science, technology, and other emerging high skill occupations, for which individuals from one gender comprise less than 25 percent of the individuals employed in each such occupation or field of work.</p>	<p>traditional fields' means occupations or fields of work, including careers in computer science, technology, and other current and emerging high skill occupations, for which individuals from one gender comprise less than 25 percent of the individuals employed in each such occupation or field of work.</p>	<p><b>A listing of non trad fields can be found at:</b></p> <p><a href="http://www.napequity.org/pdf/NontradformalesfromBLSrev08-05.pdf">http://www.napequity.org/pdf/NontradformalesfromBLSrev08-05.pdf</a></p> <p><a href="http://www.napequity.org/pdf/NontradforfemalesfromBLS08-05rev.pdf">http://www.napequity.org/pdf/NontradforfemalesfromBLS08-05rev.pdf</a></p>
<p><b>“(18) OUTLYING AREA.</b>—The term ‘outlying area’ means the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau.</p>	<p><b>“(21) OUTLYING AREA.</b>—The term ‘outlying area’ means the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and the Republic of Palau.</p>	<p><b>Removes Micronesia.</b></p>
<p><b>“(19) POSTSECONDARY EDUCATIONAL INSTITUTION.</b>—The term ‘postsecondary educational institution’ means—</p> <p>“(A) an institution of higher education that provides not less than a 2-year program of instruction that is acceptable for credit toward a bachelor’s degree;</p> <p>“(B) a tribally controlled college or university; or</p>	<p><b>“(22) POSTSECONDARY EDUCATIONAL INSTITUTION.</b>—The term ‘postsecondary educational institution’ means--</p> <p>“(A) an institution of higher education that provides not less than a 2-year program of instruction that is acceptable for credit toward a bachelor's degree;</p> <p>“(B) a tribally controlled</p>	<p><b>No changes.</b></p>

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“(C) a nonprofit educational institution offering certificate or apprenticeship programs at the postsecondary level.	college or university; or  “(C) a nonprofit educational institution offering certificate or apprenticeship programs at the postsecondary level.	
	“(23) <b>POSTSECONDARY EDUCATION TECH PREP STUDENT.</b> --The term ‘postsecondary education tech prep student’ means a student who--  “(A) has completed the secondary education component of a tech prep program; and  “(B) has enrolled in the postsecondary education component of a tech prep program at an institution of higher education described in clause (i) or (ii) of section 203(a)(1)(B).	<b>This is a new definition that specifies who a postsecondary Tech Prep student is. This definition applies to Title II and will be critical for the Title II accountability provisions and in determining which students can benefit from programs supported by Title II.</b>
“(20) <b>SCHOOL DROPOUT.</b> —The term ‘school dropout’ means an individual who is no longer attending any school and who has not received a secondary school diploma or its recognized equivalent.	“(24) <b>SCHOOL DROPOUT.</b> --The term ‘school dropout’ means an individual who is no longer attending any school and who has not received a secondary school diploma or its recognized equivalent.	<b>No change.</b>
	“(25) <b>SCIENTIFICALLY BASED RESEARCH.</b> --The term ‘scientifically based research’ means research that is carried out	<b>Introduces scientifically based research as defined by the standards in the Education Sciences Reform Act of 2002. This term is referred to in the national programs section of the Act, as well as in the state leadership and local uses of funds.</b>



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	using scientifically based research standards, as defined in section 102 of the Education Sciences Reform Act of 2002 (20 U.S.C. 9501).	
	<b>“(26) SECONDARY EDUCATION TECH PREP STUDENT.</b> --The term ‘secondary education tech prep student’ means a secondary education student who has enrolled in 2 courses in the secondary education component of a tech prep program.	<b>This is a new definition that specifies who a secondary Tech Prep student is. This definition will be used under Title II and will be critical for the Title II accountability provisions and in determining which students can benefit from programs supported by Title II.</b>
<b>“(21) SECONDARY SCHOOL.</b> —The term ‘secondary school’ has the meaning given the term in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801)	<b>“(27) SECONDARY SCHOOL.</b> --The term ‘secondary school’ has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965.	<b>No change.</b>
<b>“(22) SECRETARY.</b> —The term ‘Secretary’ means the Secretary of Education.	<b>“(28) SECRETARY.</b> --The term ‘Secretary’ means the Secretary of Education.	<b>No change.</b>
<b>“(23) SPECIAL POPULATIONS.</b> —The term ‘special populations’ means—  “(A) individuals with disabilities;  “(B) individuals from economically disadvantaged families, including foster children;	<b>“(29) SPECIAL POPULATIONS.</b> --The term ‘special populations’ means--  “(A) individuals with disabilities;  “(B) individuals from economically disadvantaged	<b>The Act continues to call strong attention to serving special populations.</b>  <b>This definition, in addition to the NCLB categories, will be used in determining which categories accountability data must be disaggregated by.</b>

1998	2006	Differences/Comments
<p>“(C) individuals preparing for nontraditional training and employment;</p> <p>“(D) single parents, including single pregnant women;</p> <p>“(E) displaced homemakers; and</p> <p>“(F) individuals with other barriers to educational achievement, including individuals with limited English proficiency.</p>	<p>families, including foster children;</p> <p>“(C) individuals preparing for non-traditional fields;</p> <p>“(D) single parents, including single pregnant women;</p> <p>“(E) displaced homemakers; and</p> <p>“(F) individuals with limited English proficiency.</p>	<p><b>Eliminated the broad “other barriers to educational achievement” and instead restricted it to individuals with limited English proficiency.</b></p>
<p><b>“(24) STATE.</b>—The term ‘State’, unless otherwise specified, means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and each outlying area.</p>	<p>“(30) <b>STATE.</b>--The term ‘State’, unless otherwise specified, means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and each outlying area.</p>	<p><b>No change.</b></p>
<p><b>“(25) SUPPORT SERVICES.</b>—The term ‘support services’ means services related to curriculum modification, equipment modification, classroom modification, supportive personnel, and instructional aids and devices.</p>	<p>“(31) <b>SUPPORT SERVICES.</b>--The term ‘support services’ means services related to curriculum modification, equipment modification, classroom modification, supportive personnel, and instructional aids and devices.</p>	<p><b>No Change.</b></p>
<p><b>“(26) TECH-PREP PROGRAM.</b>—The term ‘tech-prep program’ means a program of study that—</p>	<p>“(32) <b>TECH PREP PROGRAM.</b>--The term ‘tech prep program’ means a tech prep program described in section</p>	<p><b>The contents of a tech prep program has been moved to Title II. The substance of the definition is similar to Perkins III.</b></p>

1998	2006	Differences/Comments
<p>“(A) combines at least 2 years of secondary education (as determined under State law) and 2 years of postsecondary education in a nonduplicative sequential course of study;</p> <p>“(B) strengthens the applied academic component of vocational and technical education through the integration of academic, and vocational and technical, instruction;</p> <p>“(C) provides technical preparation in an area such as engineering technology, applied science, a mechanical, industrial, or practical art or trade, agriculture, a health occupation, business, or applied economics;</p> <p>“(D) builds student competence in mathematics, science, and communications (including through applied academics) in a coherent sequence of courses; and</p> <p>“(E) leads to an associate degree or a certificate in a specific career field, and to high skill, high wage employment, or further education.</p>	<p>203(c).</p>	
<p><b>“(27) TRIBALLY CONTROLLED COLLEGE OR UNIVERSITY.</b>—The term ‘tribally controlled college or university’ has the meaning given</p>	<p><b>“(33) TRIBALLY CONTROLLED COLLEGE OR UNIVERSITY.</b>--The term ‘tribally controlled college or university’ has the meaning given</p>	<p><b>No change.</b></p>

1998	2006	Differences/Comments
such term in section 2 of the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1801(a)(4)).	the term in section 2(a) of the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1801(a)).	
<p><b>“(28) TRIBALLY CONTROLLED POSTSECONDARY VOCATIONAL AND TECHNICAL INSTITUTION.—</b></p> <p>The term ‘tribally controlled postsecondary vocational and technical institution’ means an institution of higher education (as defined in section 101 of the Higher Education Act of 1965, except that paragraph (2) of such section shall not be applicable and the reference to Secretary in paragraph (5)(A) of such section shall be deemed to refer to the Secretary of the Interior) that—</p> <p>“(A) is formally controlled, or has been formally sanctioned or chartered, by the governing body of an Indian tribe or Indian tribes;</p> <p>“(B) offers a technical degree or certificate granting program;</p> <p>“(C) is governed by a board of directors or trustees, a majority of whom are Indians;</p> <p>“(D) demonstrates adherence to</p>	<p><b>“(34) TRIBALLY CONTROLLED POSTSECONDARY CAREER AND TECHNICAL INSTITUTION.--</b>The term ‘tribally controlled postsecondary career and technical institution’ means an institution of higher education (as defined in section 101 of the Higher Education Act of 1965, except that subsection (a)(2) of such section shall not be applicable and the reference to Secretary in subsection (a)(5) of such section shall be deemed to refer to the Secretary of the Interior) that--</p> <p>“(A) is formally controlled, or has been formally sanctioned or chartered, by the governing body of an Indian tribe or Indian tribes;</p> <p>“(B) offers a technical degree or certificate granting program;</p> <p>“(C) is governed by a board of directors or trustees, a majority of whom are Indians;</p>	<p><b>No change.</b></p>

1998	2006	Differences/Comments
<p>stated goals, a philosophy, or a plan of operation, that fosters individual Indian economic and self-sufficiency opportunity, including programs that are appropriate to stated tribal goals of developing individual entrepreneurships and self-sustaining economic infrastructures on reservations;</p> <p>“(E) has been in operation for at least 3 years;</p> <p>“(F) holds accreditation with or is a candidate for accreditation by a nationally recognized accrediting authority for postsecondary vocational and technical education; and</p> <p>“(G) enrolls the full-time equivalent of not less than 100 students, of whom a majority are Indians</p>	<p>“(D) demonstrates adherence to stated goals, a philosophy, or a plan of operation, that fosters individual Indian economic and self-sufficiency opportunity, including programs that are appropriate to stated tribal goals of developing individual entrepreneurships and self-sustaining economic infrastructures on reservations;</p> <p>“(E) has been in operation for at least 3 years;</p> <p>“(F) holds accreditation with or is a candidate for accreditation by a nationally recognized accrediting authority for postsecondary career and technical education; and</p> <p>“(G) enrolls the full-time equivalent of not less than 100 students, of whom a majority are Indians.</p>	
<p><b>“SEC. 4. TRANSITION PROVISIONS.</b></p> <p>“The Secretary shall take such steps as the Secretary determines to be appropriate to provide for the orderly transition to the authority of this Act from any authority under provisions of the Carl D.</p>	<p><b>“(D) SEC. 4. TRANSITION PROVISIONS.</b></p> <p>“(D) The Secretary shall take such steps as the Secretary determines to be appropriate to provide for the orderly transition to the authority of this Act (as amended</p>	<p><b>States can submit a transition plan for one year (2007-2008) or implement the new law immediately by submitting a six year plan.</b></p>

1998	2006	Differences/Comments
<p>Perkins Vocational and Applied Technology Education Act, as such Act was in effect on the day before the date of enactment of the Carl D. Perkins Vocational and Applied Technology Education Amendments of 1998.</p>	<p>by the Carl D. Perkins Career and Technical Education Improvement Act of 2006) from any authority under the provisions of the Carl D. Perkins Vocational and Technical Education Act of 1998, as in effect on the day before the date of enactment of the Carl D. Perkins Career and Technical Education Improvement Act of 2006. The Secretary shall give each eligible agency the opportunity to submit a transition plan for the first fiscal year following the date of enactment of the Carl D. Perkins Career and Technical Education Improvement Act of 2006.</p>	
<p><b>“SEC. 5. PRIVACY.</b></p> <p>“(a) GEPA.—Nothing in this Act shall be construed to supersede the privacy protections afforded parents and students under section 444 of the General Education Provisions Act (20 U.S.C. 1232g), as added by the Family Educational Rights and Privacy Act of 1974 (section 513 of Public Law 93–380; 88 Stat. 571).</p> <p>“(b) PROHIBITION ON DEVELOPMENT OF NATIONAL DATABASE.—Nothing in this Act shall be construed to permit the</p>	<p><b>“SEC. 5. PRIVACY.</b></p> <p>“(a) <i>GEPA.</i>--Nothing in this Act shall be construed to supersede the privacy protections afforded parents and students under section 444 of the General Education Provisions Act (20 U.S.C. 1232g).</p> <p>“(b) <i>Prohibition on Development of National Database.</i>--Nothing in this Act shall be construed to permit the development of a national database of personally identifiable information on individuals</p>	<p><b>No change.</b></p>

1998	2006	Differences/Comments
development of a national database of personally identifiable information on individuals receiving services under this Act.	receiving services under this Act.	
<p><b>“SEC. 6. LIMITATION.</b></p> <p>“All of the funds made available under this Act shall be used in accordance with the requirements of this Act. None of the funds made available under this Act may be used to provide funding under the School-to-Work Opportunities Act of 1994 (20 U.S.C. 6101 et seq.) or to carry out, through programs funded under this Act, activities that were funded under the School-To-Work Opportunities Act of 1994, unless the programs funded under this Act serve only those participants eligible to participate in the programs under this Act.</p>	<p><b>“SEC. 6. LIMITATION.</b></p> <p>“All of the funds made available under this Act shall be used in accordance with the requirements of this Act.</p>	<p><b>No effective change.</b></p>
<p><b>“SEC. 7. SPECIAL RULE.</b></p> <p>“In the case of a local community in which no employees are represented by a labor organization, for purposes of this Act the term ‘representatives of employees’ shall be substituted for ‘labor organization’.</p>	<p><b>“SEC. 7. SPECIAL RULE.</b></p> <p>“In the case of a local community in which no employees are represented by a labor organization, for purposes of this Act, the term ‘representatives of employees’ shall be substituted for ‘labor organization’.</p>	<p><b>No change.</b></p>

1998	2006	Differences/Comments
	<p><b>``SEC. 8. PROHIBITIONS.</b></p> <p>``(a) <i>Local Control.</i>--Nothing in this Act shall be construed to authorize an officer or employee of the Federal Government to mandate, direct, or control a State, local educational agency, or school's curriculum, program of instruction, or allocation of State or local resources, or mandate a State or any subdivision thereof to spend any funds or incur any costs not paid for under this Act, except as required under sections 112(b), 311(b), and 323.</p> <p>``(b) <i>No Preclusion of Other Assistance.</i>--Any State that declines to submit an application to the Secretary for assistance under this Act shall not be precluded from applying for assistance under any other program administered by the Secretary.</p> <p>``(c) <i>Prohibition on Requiring Federal Approval or Certification of Standards.</i>--Notwithstanding any other provision of Federal law, no State shall be required to have academic and career and technical content standards or student academic and career and</p>	<p><b>This entire section is new:</b></p> <p><b>Preserves local control by specifically noting that the Federal Government cannot use this bill to control a State, LEA, or a school's curriculum.</b></p> <p><b>Indicates that the Federal Government cannot impose unfunded mandates.</b></p> <p><b>Ensures states that applying (or not applying) for Perkins funds does not affect eligibility for any other Department of Education program.</b></p> <p><b>States will not be required to have academic or CTE standards approved or certified by the Federal Government in order to receive funding under this Act.</b></p>



1998	2006	Differences/Comments
	<p>technical achievement standards approved or certified by the Federal Government, in order to receive assistance under this Act.</p> <p>“(d) <i>Rule of Construction.</i>-- Nothing in this section shall be construed to affect the requirements under section 113.</p> <p>“(e) <i>Coherent and Rigorous Content.</i>--For the purposes of this Act, coherent and rigorous content shall be determined by the State consistent with section 1111(b)(1)(D) of the Elementary and Secondary Education Act of 1965.</p>	<p><b>Nothing in this section should affect the accountability requirements in section 113.</b></p> <p><b>The use of the term “coherent and rigorous” refers to the standards for academic content in subjects determined by the state, but includes at least math, reading, or language arts and science.</b></p>
<p><b>“SEC. 8. AUTHORIZATION OF APPROPRIATIONS.</b></p> <p>“There is authorized to be appropriated to carry out this Act (other than sections 114, 117, and 118, and title II) such sums as may be necessary for each of the fiscal years 1999 through 2003.</p>	<p><b>“SEC. 9. AUTHORIZATION OF APPROPRIATIONS.</b></p> <p>“There is authorized to be appropriated to carry out this Act (other than sections 114, 117, and 118, and title II) such sums as may be necessary for each of the fiscal years 2007 through 2012.</p>	<p><b>Extends authorization of appropriations from five to six years: 2007 through 2012.</b></p>
<p><b>“TITLE I—VOCATIONAL AND TECHNICALEDUCATION ASSISTANCE TOTHE STATES</b></p> <p><b>“PART A—ALLOTMENT</b></p>	<p><b>“TITLE I--CAREER AND TECHNICAL EDUCATION ASSISTANCE TO THE STATES</b></p> <p><b>“PART A--ALLOTMENT AND</b></p>	

1998	2006	Differences/Comments
<p><b>AND ALLOCATION</b></p> <p><b>“SEC. 111. RESERVATIONS AND STATE ALLOTMENT.</b></p> <p><b>“(a) RESERVATIONS AND STATE ALLOTMENT.—</b></p> <p><b>“(1) RESERVATIONS.—</b>From the sum appropriated under section 8 for each fiscal year, the Secretary shall reserve—</p> <p>“(A) 0.2 percent to carry out section 115;</p> <p>“(B) 1.50 percent to carry out section 116, of which—</p> <p>“(i) 1.25 percent of the sum shall be available to carry out section 116(b); and</p> <p>“(ii) 0.25 percent of the sum shall be available to carry out section 116(h); and</p> <p>“(C) in the case of each of the fiscal years 2000 through 2003, 0.54 percent to carry out section 503 of Public Law 105–220.</p>	<p><b>ALLOCATION</b></p> <p><b>“SEC. 111. RESERVATIONS AND STATE ALLOTMENT.</b></p> <p><b>“(a) Reservations and State Allotment.--</b></p> <p><b>“(1) RESERVATIONS.--</b>From the sum appropriated under section 9 for each fiscal year, the Secretary shall reserve--</p> <p>“(A) 0.13 percent to carry out section 115; and</p> <p>“(B) 1.50 percent to carry out section 116, of which--</p> <p>“(i) 1.25 percent of the sum shall be available to carry out section 116(b); and</p> <p>“(ii) 0.25 percent of the sum shall be available to carry out section 116(h).</p>	<p><b>Reduces allotment for outlying areas by 0.07% of the total allocation.</b></p>
<p><b>“(2) STATE ALLOTMENT FORMULA.—</b>Subject to paragraphs (3) and (4), from the remainder of the sums appropriated under section 8 and not reserved under paragraph (1) for a fiscal year, the Secretary shall allot to a State for the fiscal year—</p>	<p><b>“(2) STATE ALLOTMENT FORMULA.--</b>Subject to paragraphs (3), (4), and (5), from the remainder of the sum appropriated under section 9 and not reserved under paragraph (1) for a fiscal year, the Secretary shall allot to a State for the fiscal</p>	<p><b>No change.</b></p>

1998	2006	Differences/Comments
<p>“(A) an amount that bears the same ratio to 50 percent of the sums being allotted as the product of the population aged 15 to 19 inclusive, in the State in the fiscal year preceding the fiscal year for which the determination is made and the State’s allotment ratio bears to the sum of the corresponding products for all the States;</p> <p>“(B) an amount that bears the same ratio to 20 percent of the sums being allotted as the product of the population aged 20 to 24, inclusive, in the State in the fiscal year preceding the fiscal year for which the determination is made and the State’s allotment ratio bears to the sum of the corresponding products for all the States;</p> <p>“(C) an amount that bears the same ratio to 15 percent of the sums being allotted as the product of the population aged 25 to 65, inclusive, in the State in the fiscal year preceding the fiscal year for which the determination is made and the State’s allotment ratio</p>	<p>year--</p> <p>“(A) an amount that bears the same ratio to 50 percent of the sum being allotted as the product of the population aged 15 to 19 inclusive, in the State in the fiscal year preceding the fiscal year for which the determination is made and the State's allotment ratio bears to the sum of the corresponding products for all the States;</p> <p>“(B) an amount that bears the same ratio to 20 percent of the sum being allotted as the product of the population aged 20 to 24, inclusive, in the State in the fiscal year preceding the fiscal year for which the determination is made and the State's allotment ratio bears to the sum of the corresponding products for all the States;</p> <p>“(C) an amount that bears the same ratio to 15 percent of the sum being allotted as the product of the population aged 25 to 65, inclusive, in the State in the fiscal year preceding the fiscal year for which the determination is made and the State's allotment ratio bears to the sum of the</p>	

1998	2006	Differences/Comments
<p>bears to the sum of the corresponding products for all the States; and</p> <p>“(D) an amount that bears the same ratio to 15 percent of the sums being allotted as the amounts allotted to the State under subparagraphs (A), (B), and (C) for such years bears to the sum of the amounts allotted to all the States under subparagraphs (A), (B), and (C) for such year.</p>	<p>corresponding products for all the States; and</p> <p>“(D) an amount that bears the same ratio to 15 percent of the sum being allotted as the amounts allotted to the State under subparagraphs (A), (B), and (C) for such years bears to the sum of the amounts allotted to all the States under subparagraphs (A), (B), and (C) for such year.</p>	
<p><b>“(3) MINIMUM ALLOTMENT.—</b></p> <p><b>“(A) IN GENERAL.—</b> Notwithstanding any other provision of law and subject to subparagraphs (B) and (C), and paragraph (4), no State shall receive for a fiscal year under this subsection less than 1/2 of 1 percent of the amount appropriated under section 8 and not reserved under paragraph (1) for such fiscal year. Amounts necessary for increasing such payments to States to comply with the preceding sentence shall be obtained by ratably reducing the amounts to be paid to other States.</p>	<p><b>“(3) MINIMUM ALLOTMENT FOR YEARS WITH NO ADDITIONAL FUNDS.--</b></p> <p><b>“(A) IN GENERAL.--</b> Notwithstanding any other provision of law and subject to subparagraphs (B) and (C), and paragraph (5), for a fiscal year for which there are no additional funds (as such term is defined in paragraph (4)(D)), no State shall receive for such fiscal year under this subsection less than 1/2 of 1 percent of the amount appropriated under section 9 and not reserved under paragraph (1) for such fiscal year. Amounts necessary for increasing such payments to States to comply with the preceding sentence shall be obtained by ratably reducing the</p>	<p><b>No change to minimum allotment if Perkins remains level funded.</b></p>

1998	2006	Differences/Comments
<p><b>“(B) REQUIREMENT.—</b>No State, by reason of the application of subparagraph (A), shall receive for a fiscal year more than 150 percent of the amount the State received under this subsection for the preceding fiscal year (or in the case of fiscal year 1999 only, under section 101 of the Carl D. Perkins Vocational and Applied Technology Education Act, as such section was in effect on the day before the date of enactment of the Carl D. Perkins Vocational and Applied Technology Education Amendments of 1998).</p>	<p>amounts to be paid to other States.</p> <p><b>“(B) REQUIREMENT.--</b>No State, by reason of the application of subparagraph (A), shall receive for a fiscal year more than 150 percent of the amount the State received under this subsection for the preceding fiscal year.</p>	<p><b>No change.</b></p>
<p><b>“(C) SPECIAL RULE.—</b></p> <p><b>“(i) IN GENERAL.—</b>Subject to paragraph (4), no State, by reason of the application of subparagraph (A), shall be allotted for a fiscal year more than the lesser of—</p> <p><b>“(I)</b> 150 percent of the amount that the State received in the preceding fiscal year (or in the case of fiscal year 1999 only, under section 101 of the Carl D. Perkins Vocational and Applied Technology Education Act, as such section was in effect on the day before the date of enactment of the Carl D. Perkins Vocational and Applied</p>	<p><b>“(C) SPECIAL RULE.--</b></p> <p><b>“(i) IN GENERAL.--</b>Subject to paragraph (5), no State, by reason of the application of subparagraph (A), shall be allotted for a fiscal year more than the lesser of--</p> <p><b>“(I)</b> 150 percent of the amount that the State received in the preceding fiscal year; and</p> <p><b>“(II)</b> the amount calculated under clause (ii).</p>	<p><b>No change.</b></p>

1998	2006	Differences/Comments
<p>Technology Education Amendments of 1998); and</p> <p>“(II) the amount calculated under clause (ii).</p> <p>“(ii) AMOUNT.—The amount calculated under this clause shall be determined by multiplying—</p> <p>“(I) the number of individuals in the State counted under paragraph (2) in the preceding fiscal year; by</p> <p>“(II) 150 percent of the national average per pupil payment made with funds available under this section for that year (or in the case of fiscal year 1999, only, under section 101 of the Carl D. Perkins Vocational and Applied Technology Education Act, as such section was in effect on the day before the date of enactment of the Carl D. Perkins Vocational and Applied Technology Education Amendments of 1998).</p>	<p>“(ii) <b>AMOUNT</b>.--The amount calculated under this clause shall be determined by multiplying--</p> <p>“(I) the number of individuals in the State counted under paragraph (2) in the preceding fiscal year; by</p> <p>“(II) 150 percent of the national average per pupil payment made with funds available under this section for that year.</p>	
	<p>“(4) <b>MINIMUM ALLOTMENT FOR YEARS WITH ADDITIONAL FUNDS</b>.--</p> <p>“(A) <b>IN GENERAL</b>.--Subject to subparagraph (B) and paragraph (5), for a fiscal year for which</p>	<p><b>Of any new money that is appropriated over the FY 2006 funding levels, ‘small states’ would receive 1/3 of the new money until they reach the small state minimum (going first to those states that are farthest away from getting their ½ of 1 percent) that is currently in statute. The remaining 2/3 of new money would go out by the current law formula.</b></p>

1998	2006	Differences/Comments
	<p>there are additional funds, no State shall receive for such fiscal year under this subsection less than 1/2 of 1 percent of the amount appropriated under section 9 and not reserved under paragraph (1) for such fiscal year. Amounts necessary for increasing such payments to States to comply with the preceding sentence shall be obtained by ratably reducing the amounts to be paid to other States.</p> <p>“(B) <b>SPECIAL RULE.</b>--In the case of a qualifying State, the minimum allotment under subparagraph (A) for a fiscal year for the qualifying State shall be the lesser of--</p> <p>“(i) 1/2 of 1 percent of the amount appropriated under section 9 and not reserved under paragraph (1) for such fiscal year; and</p> <p>“(ii) the sum of--</p> <p>“(I) the amount the qualifying State was allotted under paragraph (2) for fiscal year 2006 (as such paragraph was in effect on the day before the date of enactment of the Carl D. Perkins Career and Technical Education Improvement</p>	

1998	2006	Differences/Comments
	<p>Act of 2006); and</p> <p>“(II) the product of--</p> <p>“(aa) 1/3 of the additional funds; multiplied by</p> <p>“(bb) the quotient of--</p> <p>“(AA) the qualifying State's ratio described in subparagraph (C) for the fiscal year for which the determination is made; divided by</p> <p>“(BB) the sum of all such ratios for all qualifying States for the fiscal year for which the determination is made.</p> <p>“(C) <b>RATIO</b>.--For purposes of subparagraph (B)(ii)(II)(bb)(AA), the ratio for a qualifying State for a fiscal year shall be 1.00 less the quotient of--</p> <p>“(i) the amount the qualifying State was allotted under paragraph (2) for fiscal year 2006 (as such paragraph was in effect on the day before the date of enactment of the Carl D. Perkins Career and Technical Education Improvement Act of 2006); divided by</p>	



1998	2006	Differences/Comments
	<p>``(ii) 1/2 of 1 percent of the amount appropriated under section 9 and not reserved under paragraph (1) for the fiscal year for which the determination is made.</p> <p>``(D) <b>DEFINITIONS.</b>--In this paragraph:</p> <p>``(i) <b>ADDITIONAL FUNDS.</b>--The term `additional funds' means the amount by which--</p> <p>``(I) the sum appropriated under section 9 and not reserved under paragraph (1) for a fiscal year; exceeds</p> <p>``(II) the sum of--</p> <p>``(aa) the amount allotted under paragraph (2) for fiscal year 2006 (as such paragraph (2) was in effect on the day before the date of enactment of the Carl D. Perkins Career and Technical Education Improvement Act of 2006);</p> <p>``(bb) the amount reserved under paragraph (1)(C) for fiscal year 2006 (as such paragraph</p>	

1998	2006	Differences/Comments
	<p>(1)(C) was so in effect); and</p> <p>“(cc) \$827,671.</p> <p>“(ii) <b>QUALIFYING STATE.</b>- -The term ‘qualifying State’ means a State (except the United States Virgin Islands) that, for the fiscal year for which a determination under this paragraph is made, would receive, under the allotment formula under paragraph (2) (without the application of this paragraph and paragraphs (3) and (5)), an amount that would be less than the amount the State would receive under subparagraph (A) for such fiscal year.</p>	
<p>“(4) <b>HOLD HARMLESS.</b>—</p> <p>“(A) <b>IN GENERAL.</b>—No State shall receive an allotment under this section for a fiscal year that is less than the allotment the State received under part A of title I of the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2311 et seq.) (as such part was in effect on the day before the date of enactment of the Carl D. Perkins Vocational and Applied Technology Education Amendments of 1998) for fiscal</p>	<p>“(5) <b>HOLD HARMLESS.</b>--</p> <p>“(A) <b>IN GENERAL.</b>--No State shall receive an allotment under this section for a fiscal year that is less than the allotment the State received under part A of title I of the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2311 et seq.) (as such part was in effect on the day before the date of enactment of the Carl D. Perkins Vocational and Applied</p>	<p><b>No change.</b></p>

1998	2006	Differences/Comments
<p>year 1998.</p> <p>“(B) <b>RATABLE REDUCTION.</b>—If for any fiscal year the amount appropriated for allotments under this section is insufficient to satisfy the provisions of subparagraph (A), the payments to all States under such subparagraph shall be ratably reduced.</p>	<p>Technology Education Amendments of 1998) for fiscal year 1998.</p> <p>“(B) <b>RATABLE REDUCTION.</b>--If for any fiscal year the amount appropriated for allotments under this section is insufficient to satisfy the provisions of subparagraph (A), the payments to all States under such subparagraph shall be ratably reduced.</p>	
<p>“(b) <b>REALLOTMENT.</b>—If the Secretary determines that any amount of any State’s allotment under subsection (a) for any fiscal year will not be required for such fiscal year for carrying out the activities for which such amount has been allotted, the Secretary shall make such amount available for reallocation. Any such reallocation among other States shall occur on such dates during the same year as the Secretary shall fix, and shall be made on the basis of criteria established by regulation. No funds may be reallocated for any use other than the use for which the funds were appropriated. Any amount reallocated to a State under this</p>	<p>“(b) <i>Reallocation.</i>--If the Secretary determines that any amount of any State's allotment under subsection (a) for any fiscal year will not be required for such fiscal year for carrying out the activities for which such amount has been allotted, the Secretary shall make such amount available for reallocation. Any such reallocation among other States shall occur on such dates during the same year as the Secretary shall fix, and shall be made on the basis of criteria established by regulation. No funds may be reallocated for any use other than the use for which the funds were appropriated. Any amount reallocated to a State under this subsection for any fiscal year</p>	<p><b>No change.</b></p>

1998	2006	Differences/Comments
subsection for any fiscal year shall remain available for obligation during the succeeding fiscal year and shall be deemed to be part of the State's allotment for the year in which the amount is obligated.	shall remain available for obligation during the succeeding fiscal year and shall be deemed to be part of the State's allotment for the year in which the amount is obligated.	
<p><b>“(c) ALLOTMENT RATIO.—</b></p> <p><b>“(1) IN GENERAL.—</b>The allotment ratio for any State shall be 1.00 less the product of—</p> <p>“(A) 0.50; and</p> <p>“(B) the quotient obtained by dividing the per capita income for the State by the per capita income for all the States (exclusive of the Commonwealth of Puerto Rico and the United States Virgin Islands), except that—</p> <p>“(i) the allotment ratio in no case shall be more than 0.60 or less than 0.40; and</p> <p>“(ii) the allotment ratio for the Commonwealth of Puerto Rico and the United States Virgin Islands shall be 0.60.</p>	<p><b>“(c) <i>Allotment Ratio.</i>--</b></p> <p>“(1) <b>IN GENERAL.--</b>The allotment ratio for any State shall be 1.00 less the product of--</p> <p>“(A) 0.50; and</p> <p>“(B) the quotient obtained by dividing the per capita income for the State by the per capita income for all the States (exclusive of the Commonwealth of Puerto Rico and the United States Virgin Islands), except that--</p> <p>“(i) the allotment ratio in no case shall be more than 0.60 or less than 0.40; and</p> <p>“(ii) the allotment ratio for the Commonwealth of Puerto Rico and the United States Virgin Islands shall be 0.60.</p>	No change.
<b>“(2) PROMULGATION.—</b> The allotment ratios shall be promulgated by the Secretary for each fiscal year between October 1	<b>“(2) <i>PROMULGATION.</i>--</b> The allotment ratios shall be promulgated by the Secretary for each fiscal year between October	No change.

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<p>and December 31 of the fiscal year preceding the fiscal year for which the determination is made.</p> <p>Allotment ratios shall be computed on the basis of the average of the appropriate per capita incomes for the 3 most recent consecutive fiscal years for which satisfactory data are available.</p>	<p>1 and December 31 of the fiscal year preceding the fiscal year for which the determination is made.</p> <p>Allotment ratios shall be computed on the basis of the average of the appropriate per capita incomes for the 3 most recent consecutive fiscal years for which satisfactory data are available.</p>	
<p><b>“(3) DEFINITION OF PER CAPITA INCOME.</b>—For the purpose of this section, the term ‘per capita income’ means, with respect to a fiscal year, the total personal income in the calendar year ending in such year, divided by the population of the area concerned in such year.</p>	<p><b>“(3) DEFINITION OF PER CAPITA INCOME.</b>--For the purpose of this section, the term ‘per capita income’ means, with respect to a fiscal year, the total personal income in the calendar year ending in such year, divided by the population of the area concerned in such year.</p>	<p><b>No change.</b></p>
<p><b>“(4) POPULATION DETERMINATION.</b>—For the purposes of this section, population shall be determined by the Secretary on the basis of the latest estimates available to the Department of Education.</p>	<p><b>“(4) POPULATION DETERMINATION.</b>--For the purposes of this section, population shall be determined by the Secretary on the basis of the latest estimates available to the Department of Education.</p>	<p><b>No change.</b></p>
<p><b>“(d) DEFINITION OF STATE.</b>—For the purpose of this section, the term ‘State’ means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and the United States Virgin Islands.</p>	<p><b>“(d) <i>Definition of State.</i></b>--For the purpose of this section, the term ‘State’ means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and the United States Virgin Islands.</p>	<p><b>No change.</b></p>

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<p><b>“SEC. 112. WITHIN STATE ALLOCATION.</b></p> <p><b>“(a) IN GENERAL.</b>—From the amount allotted to each State under section 111 for a fiscal year, the State board (hereinafter referred to as the ‘eligible agency’) shall make available—</p> <p>“(1) not less than 85 percent for distribution under section 131 or 132, of which not more than 10 percent of the 85 percent may be used in accordance with subsection (c);</p> <p>“(2) not more than 10 percent to carry out State leadership activities described in section 124, of which—</p> <p>“(A) an amount equal to not more than 1 percent of the amount allotted to the State under section 111 for the fiscal year shall be available to serve individuals in State institutions, such as State correctional institutions and institutions that serve individuals with disabilities; and</p> <p>“(B) not less than \$60,000 and not more than \$150,000 shall be available for services that prepare</p>	<p><b>“SEC. 112. WITHIN STATE ALLOCATION.</b></p> <p>“(a) <i>In General.</i>--From the amount allotted to each State under section 111 for a fiscal year, the eligible agency shall make available--</p> <p>“(1) not less than 85 percent for distribution under section 131 or 132, of which not more than 10 percent of the 85 percent may be used in accordance with subsection (c);</p> <p>“(2) not more than 10 percent to carry out State leadership activities described in section 124, of which--</p> <p>“(A) an amount equal to not more than 1 percent of the amount allotted to the State under section 111 for the fiscal year shall be made available to serve individuals in State institutions, such as State correctional institutions and institutions that serve individuals with disabilities; and</p> <p>“(B) not less than \$60,000 and not more than \$150,000 shall be available for services that prepare</p>	<p><b>The within state allocation is the same as current law:</b></p> <p><b>5% or 250,000 for state admin</b></p> <p><b>10% for state leadership</b></p> <ul style="list-style-type: none"> <li>• <b>Out of state leadership, states can dedicate an amount up to 1% of the entire state allotment for corrections.</b></li> <li>• <b>Not less than \$60,000 but not more than \$150,000 must be dedicated to non trad.</b></li> </ul> <p><b>85% locals</b></p> <ul style="list-style-type: none"> <li>• <b>Up to 10% of these funds can be distributed to locals via the reserve fund provisions.</b></li> </ul>

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<p>individuals for nontraditional training and employment; and</p> <p>“(3) an amount equal to not more than 5 percent, or \$250,000, whichever is greater, for administration of the State plan, which may be used for the costs of—</p> <p>“(A) developing the State plan;</p> <p>“(B) reviewing the local plans;</p> <p>“(C) monitoring and evaluating program effectiveness;</p> <p>“(D) assuring compliance with all applicable Federal laws; and</p> <p>“(E) providing technical assistance.</p>	<p>individuals for non-traditional fields; and</p> <p>“(3) an amount equal to not more than 5 percent, or \$250,000, whichever is greater, for administration of the State plan, which may be used for the costs of--</p> <p>“(A) developing the State plan;</p> <p>“(B) reviewing a local plan;</p> <p>“(C) monitoring and evaluating program effectiveness;</p> <p>“(D) assuring compliance with all applicable Federal laws;</p> <p>“(E) providing technical assistance; and</p> <p>“(F) supporting and developing State data systems relevant to the provisions of this Act.</p>	<p><b>In addition to current allowable use of funds, state administration funds can also be used to support and create data systems.</b></p>
<p><b>“(b) MATCHING REQUIREMENT.</b>—Each eligible agency receiving funds made available under subsection (a)(3) shall match, from non-Federal sources and on a dollar-for-dollar basis, the funds received under subsection (a)(3).</p>	<p>“(b) <i>Matching Requirement.</i>-- Each eligible agency receiving funds made available under subsection (a)(3) shall match, from non-Federal sources and on a dollar-for-dollar basis, the funds received under subsection (a)(3).</p>	<p><b>No change.</b></p> <p><b>Eligible agencies must continue to match their Perkins state admin dollars with non-federal funds.</b></p>





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<p>“(2) SPECIAL RULE.—Each eligible agency awarding a grant under this subsection shall use the grant funds to serve at least 2 of the categories described in subparagraphs (A) through (D) of paragraph (1).</p>		<p><b>The requirement that the reserve fund must address at least two of the areas of focus is eliminated.</b></p>
<p><b>“SEC. 113. ACCOUNTABILITY.</b></p> <p><b>“(a) PURPOSE.</b>—The purpose of this section is to establish a State performance accountability system, comprised of the activities described in this section, to assess the effectiveness of the State in achieving statewide progress in vocational and technical education, and to optimize the return of investment of Federal funds in vocational and technical education activities.</p>	<p><b>“SEC. 113. ACCOUNTABILITY.</b></p> <p>“(a) <i>Purpose.</i>—The purpose of this section is to establish and support State and local performance accountability systems, comprised of the activities described in this section, to assess the effectiveness of the State and the eligible recipients of the State in achieving statewide progress in career and technical education, and to optimize the return of investment of Federal funds in career and technical education activities.</p>	<p><b>No change.</b></p>
<p><b>“(b) STATE PERFORMANCE MEASURES.—</b></p> <p><b>“(1) IN GENERAL.</b>—Each eligible agency, with input from eligible recipients, shall establish performance measures for a State that consist of—</p>	<p><b>“(b) State Performance Measures.—</b></p> <p>“(1) <b>IN GENERAL.</b>—Each eligible agency, with input from eligible recipients, shall establish performance measures for a State that consist of--</p>	<p><b>Under Perkins IV, the performance indicators are explained in far more detail than they are in Perkins III. The performance indicators are separated for secondary and postsecondary CTE.</b></p>

1998	2006	Differences/Comments
<p>“(A) the core indicators of performance described in paragraph (2)(A);</p> <p>“(B) any additional indicators of performance (if any) identified by the eligible agency under paragraph (2)(B); and</p> <p>“(C) a State adjusted level of performance described in paragraph (3)(A) for each core indicator of performance, and State levels of performance described in paragraph (3)(B) for each additional indicator of performance.</p>	<p>“(A) the core indicators of performance described in subparagraphs (A) and (B) of paragraph (2);</p> <p>“(B) any additional indicators of performance (if any) identified by the eligible agency under paragraph (2)(C); and</p> <p>“(C) a State adjusted level of performance described in paragraph (3)(A) for each core indicator of performance, and State levels of performance described in paragraph (3)(B) for each additional indicator of performance.</p>	
<p><b>“(2) INDICATORS OF PERFORMANCE.—</b></p> <p><b>“(A) CORE INDICATORS OF PERFORMANCE.—</b>Each eligible agency shall identify in the State plan core indicators of performance that include, at a minimum, measures of each of the following:</p>	<p><b>“(2) INDICATORS OF PERFORMANCE.--</b></p> <p><b>“(A) CORE INDICATORS OF PERFORMANCE FOR CAREER AND TECHNICAL EDUCATION STUDENTS AT THE SECONDARY LEVEL.--</b> Each eligible agency shall identify in the State plan core indicators of performance for career and technical education students at the secondary level that are valid and reliable, and that include, at a minimum, measures of each of the</p>	<p><b>Requires the core indicators of performance to be valid and reliable.</b></p>

1998	2006	Differences/Comments
	following:	
<p>“(i) Student attainment of challenging State established academic, and vocational and technical, skill proficiencies.</p>	<p>“(i) Student attainment of challenging academic content standards and student academic achievement standards, as adopted by a State in accordance with section 1111(b)(1) of the Elementary and Secondary Education Act of 1965 and measured by the State determined proficient levels on the academic assessments described in section 1111(b)(3) of such Act.</p> <p>“(ii) Student attainment of career and technical skill proficiencies, including student achievement on technical assessments, that are aligned with industry-recognized standards, if available and appropriate.</p>	<p><b>1S1 Academic Attainment: The state must align this performance indicator to the NCLB content and achievement standards. That means that the state must use the same assessment(s) to measure student performance and use the same level of achievement in determining whether students pass the assessment(s). However, the number of students passing the assessment(s) (AYP) does not have to be the eligible agency’s performance target.</b></p> <p><b>1S2 Technical Skill Attainment: Student attainment of technical skill proficiencies aligned with industry recognized standards, if available and appropriate.</b></p>
<p>“(ii) Student attainment of a secondary school diploma or its recognized equivalent, a proficiency credential in conjunction with a secondary school diploma, or a postsecondary</p>	<p>“(iii) Student rates of attainment of each of the following:</p> <p>“(I) A secondary school</p>	<p><b>2S1 Secondary completion: The language requires a break down of the types of secondary student attainment into three categories: diploma, GED and credential.</b></p> <p><b>Congress is interested in knowing what types of secondary credentials CTE students are earning.</b></p>

1998	2006	Differences/Comments
degree or credential.	<p>diploma.</p> <p>“(II) A General Education Development (GED) credential, or other State-recognized equivalent (including recognized alternative standards for individuals with disabilities).</p> <p>“(III) A proficiency credential, certificate, or degree, in conjunction with a secondary school diploma (if such credential, certificate, or degree is offered by the State in conjunction with a secondary school diploma).</p>	
	“(iv) Student graduation rates (as described in section 1111(b)(2)(C)(vi) of the Elementary and Secondary Education Act of 1965)	<b>2S1 Secondary graduation rates: This is a new performance indicator that requires eligible agencies to develop performance targets for high school graduation, as defined and described in NCLB.</b>
“(iii) Placement in, retention in, and completion of, postsecondary education or advanced training, placement in military service, or placement or retention in employment.	“(v) Student placement in postsecondary education or advanced training, in military service, or in employment.	<b>3S1 Secondary placement: Similar to current practice.</b>  <b>3S2 Secondary retention is eliminated.</b>
“(iv) Student participation in and completion of vocational and technical education programs that lead to nontraditional training and employment.	“(vi) Student participation in and completion of career and technical education programs that lead to non-traditional fields.	<b>4S1 and 4S2 Non trad: Same as current practice.</b>
	<b>“(B) CORE INDICATORS OF PERFORMANCE FOR</b>	

1998	2006	Differences/Comments
	<p><b>CAREER AND TECHNICAL EDUCATION STUDENTS AT THE POSTSECONDARY LEVEL.</b>--Each eligible agency shall identify in the State plan core indicators of performance for career and technical education students at the postsecondary level that are valid and reliable, and that include, at a minimum, measures of each of the following:</p> <p>“(i) Student attainment of challenging career and technical skill proficiencies, including student achievement on technical assessments, that are aligned with industry-recognized standards, if available and appropriate.</p> <p>“(ii) Student attainment of an industry-recognized credential, a certificate, or a degree.</p> <p>“(iii) Student retention in postsecondary education or transfer to a baccalaureate degree program.</p> <p>“(iv) Student placement in military service or apprenticeship programs or placement or retention in employment, including placement in high skill, high wage, or high demand</p>	<p><b>While this is an entirely new section of the law, these performance indicators are all substantially similar to the way states currently report postsecondary data. The changes are:</b></p> <p><b>1P1: Postsecondary academic attainment: eliminated.</b></p> <p><b>1P2: Postsecondary technical skill attainment: Similar to current practice.</b></p> <p><b>2P1: Postsecondary completion: Similar to current practice.</b></p> <p><b>3P2: Postsecondary retention: Similar to current practice.</b></p> <p><b>3P1: Postsecondary placement: Similar to current practice with the addition of a focus on high skill, high wage or high demand employment.</b></p>

1998	2006	Differences/Comments
	<p>occupations or professions.</p> <p>“(v) Student participation in, and completion of, career and technical education programs that lead to employment in non-traditional fields.</p>	<p><b>4P1 and 4P2: Similar to current practice.</b></p>
<p><b>“(B) ADDITIONAL INDICATORS OF PERFORMANCE.</b>—An eligible agency, with input from eligible recipients, may identify in the State plan additional indicators of performance for vocational and technical education activities authorized under the title.</p>	<p><b>“(C) ADDITIONAL INDICATORS OF PERFORMANCE.</b>--An eligible agency, with input from eligible recipients, may identify in the State plan additional indicators of performance for career and technical education activities authorized under this title, such as attainment of self-sufficiency.</p>	<p><b>No substantive change, however, identifies attainment of self-sufficiency as an example of an additional indicator states may wish to consider.</b></p>
<p><b>“(C) EXISTING INDICATORS.</b>—If a State previously has developed State performance measures that meet the requirements of this section, the State may use such performance measures to measure the progress of vocational and technical education students.</p>	<p><b>“(D) EXISTING INDICATORS.</b>--If a State has developed, prior to the date of enactment of the Carl D. Perkins Career and Technical Education Improvement Act of 2006, State career and technical education performance measures that meet the requirements of this section (as amended by such Act), the State may use such performance measures to measure the progress of career and technical education students.</p>	<p><b>No change.</b></p>
<p><b>“(D) STATE ROLE.</b>—Indicators of performance described in this paragraph shall be established</p>	<p><b>“(E) STATE ROLE.</b>--Indicators of performance described in this paragraph shall be established</p>	<p><b>No change.</b></p>

1998	2006	Differences/Comments
solely by each eligible agency with input from eligible recipients.	solely by each eligible agency with input from eligible recipients.	
	<p><b>“(F) ALIGNMENT OF PERFORMANCE INDICATORS.</b>--In the course of developing core indicators of performance and additional indicators of performance, an eligible agency shall, to the greatest extent possible, align the indicators so that substantially similar information gathered for other State and Federal programs, or for any other purpose, is used to meet the requirements of this section.</p>	<p><b>This language was added to promote non-duplication of accountability data (e.g. the IPI project). How this language is interpreted by OVAE could be significant.</b></p>
<p><b>“(3) LEVELS OF PERFORMANCE.—</b></p> <p><b>“(A) STATE ADJUSTED LEVELS OF PERFORMANCE FOR CORE INDICATORS OF PERFORMANCE.—</b></p> <p>“(i) IN GENERAL.—Each eligible agency, with input from eligible recipients, shall establish in the State plan submitted under section 122, levels of performance for each of the core indicators of performance described in paragraph (2)(A) for vocational and technical education activities authorized under this title. The levels of performance established</p>	<p><b>“(3) STATE LEVELS OF PERFORMANCE.--</b></p> <p><b>“(A) STATE ADJUSTED LEVELS OF PERFORMANCE FOR CORE INDICATORS OF PERFORMANCE.--</b></p> <p>“(i) <b>IN GENERAL.</b>--Each eligible agency, with input from eligible recipients, shall establish in the State plan submitted under section 122, levels of performance for each of the core indicators of performance described in subparagraphs (A) and (B) of paragraph (2) for career and technical education activities</p>	<p><b>No substantive changes. Technical additions to accommodate the addition of postsecondary indicators.</b></p>

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<p>under this subparagraph shall, at a minimum—</p> <p>“(I) be expressed in a percentage or numerical form, so as to be objective, quantifiable, and measurable; and</p> <p>“(II) require the State to continually make progress toward improving the performance of vocational and technical education students.</p>	<p>authorized under this title. The levels of performance established under this subparagraph shall, at a minimum--</p> <p>“(I) be expressed in a percentage or numerical form, so as to be objective, quantifiable, and measurable; and</p> <p>“(II) require the State to continually make progress toward improving the performance of career and technical education students.</p>	<p><b>Performance targets can be percentage or numeric.</b></p> <p><b>States must continually make progress toward improving the performance of CTE students.</b></p>
<p><b>“(ii) IDENTIFICATION IN THE STATE PLAN.</b>—Each eligible agency shall identify, in the State plan submitted under section 122, levels of performance for each of the core indicators of performance for the first 2 program years covered by the State plan.</p>	<p><b>“(ii) IDENTIFICATION IN THE STATE PLAN.</b>--Subject to section 4, each eligible agency shall identify, in the State plan submitted under section 122, levels of performance for each of the core indicators of performance for the first 2 program years covered by the State plan.</p>	<p><b>No change.</b></p>
<p><b>“(iii) AGREEMENT ON STATE ADJUSTED LEVELS OF PERFORMANCE FOR FIRST 2 YEARS.</b>—The Secretary and each eligible agency shall reach agreement on the levels of performance for each of the core indicators of performance, for the first 2 program years covered by</p>	<p><b>“(iii) AGREEMENT ON STATE ADJUSTED LEVELS OF PERFORMANCE FOR FIRST 2 YEARS.</b>--The Secretary and each eligible agency shall reach agreement on the levels of performance for each of the core indicators of performance, for the first 2 program years covered by the State plan, taking into account</p>	<p><b>No change.</b></p>



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<p>the State plan, taking into account the levels identified in the State plan under clause (ii) and the factors described in clause (vi). The levels of performance agreed to under this clause shall be considered to be the State adjusted level of performance for the State for such years and shall be incorporated into the State plan prior to the approval of such plan.</p>	<p>the levels identified in the State plan under clause (ii) and the factors described in clause (vi). The levels of performance agreed to under this clause shall be considered to be the State adjusted level of performance for the State for such years and shall be incorporated into the State plan prior to the approval of such plan.</p>	
<p><b>“(iv) ROLE OF THE SECRETARY.</b>—The role of the Secretary in the agreement described in clauses (iii) and (v) is limited to reaching agreement on the percentage or number of students who attain the State adjusted levels of performance.</p>	<p><b>“(iv) ROLE OF THE SECRETARY.</b>--The role of the Secretary in the agreement described in clauses (iii) and (v) is limited to reaching agreement on the percentage or number of students who attain the State adjusted levels of performance.</p>	<p><b>No change.</b></p>
<p><b>“(v) AGREEMENT ON STATE ADJUSTED LEVELS OF PERFORMANCE FOR 3RD, 4TH, AND 5TH YEARS.</b>—Prior to the third program year covered by the State plan, the Secretary and each eligible agency shall reach agreement on the State adjusted levels of performance for each of the core indicators of performance for the third, fourth, and fifth program years covered by the State plan, taking into account the factors described in clause (vi). The State adjusted levels of performance agreed to under this</p>	<p><b>“(v) AGREEMENT ON STATE ADJUSTED LEVELS OF PERFORMANCE FOR SUBSEQUENT YEARS.</b>--Prior to the third and fifth program years covered by the State plan, the Secretary and each eligible agency shall reach agreement on the State adjusted levels of performance for each of the core indicators of performance for the corresponding subsequent program years covered by the State plan, taking into account the factors described in clause (vi). The State adjusted levels of</p>	<p><b>Establishes the negotiation cycle, which is every two years. Allows for renegotiation of performance levels <i>before</i> the 3<sup>rd</sup> and 5<sup>th</sup> years of the state plan.</b></p>

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clause shall be considered to be the State adjusted levels of performance for the State for such years and shall be incorporated into the State plan.	performance agreed to under this clause shall be considered to be the State adjusted levels of performance for the State for such years and shall be incorporated into the State plan.	
<p><b>“(vi) FACTORS.—</b>The agreement described in clause (iii) or (v) shall take into account—</p> <p>“(I) how the levels of performance involved compare with the State adjusted levels of performance established for other States taking into account factors including the characteristics of participants when the participants entered the program and the services or instruction to be provided; and</p> <p>“(II) the extent to which such levels of performance promote continuous improvement on the indicators of performance by such State.</p>	<p><b>“(vi) FACTORS.--</b>The agreement described in clause (iii) or (v) shall take into account--</p> <p>“(I) how the levels of performance involved compare with the State adjusted levels of performance established for other States, taking into account factors including the characteristics of participants when the participants entered the program and the services or instruction to be provided; and</p> <p>“(II) the extent to which such levels of performance promote continuous improvement on the indicators of performance by such State.</p>	<b>No change.</b>
<p><b>“(vii) REVISIONS.—</b>If unanticipated circumstances arise in a State resulting in a significant change in the factors described in clause (vi)(II), the eligible agency may request that the State adjusted levels of performance agreed to under clause (iii) or (vi) be revised.</p>	<p><b>“(vii) REVISIONS.--</b>If unanticipated circumstances arise in a State resulting in a significant change in the factors described in clause (vi), the eligible agency may request that the State adjusted levels of performance agreed to under clause (iii) or (v) be revised.</p>	<b>No change.</b>

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The Secretary shall issue objective criteria and methods for making such revisions.	The Secretary shall issue objective criteria and methods for making such revisions.	
<b>“(B) LEVELS OF PERFORMANCE FOR ADDITIONAL INDICATORS.—</b> Each eligible agency shall identify in the State plan, State levels of performance for each of the additional indicators of performance described in paragraph (2)(B). Such levels shall be considered to be the State levels of performance for purposes of this title.	<b>“(B) LEVELS OF PERFORMANCE FOR ADDITIONAL INDICATORS.—</b> -Each eligible agency shall identify in the State plan State levels of performance for each of the additional indicators of performance described in paragraph (2)(C). Such levels shall be considered to be the State levels of performance for purposes of this title.	No change.
	<b>“(4) LOCAL LEVELS OF PERFORMANCE.--</b>  <b>“(A) LOCAL ADJUSTED LEVELS OF PERFORMANCE FOR CORE INDICATORS OF PERFORMANCE.--</b>  <b>“(i) IN GENERAL.--</b> Each eligible recipient shall agree to accept the State adjusted levels of performance established under paragraph (3) as local adjusted levels of performances, or negotiate with the State to reach agreement on new local adjusted levels of performance, for each of the core indicators of performance described in subparagraphs (A)	<p><b>This is an entirely new section that brings accountability down to the local level. All provisions mirror that found in the state accountability requirements. The eligible recipients are required to negotiate (every 2 years) and report on the same secondary and postsecondary measures as the eligible agency.</b></p> <p><b>Eligible recipients should accept the state levels of performance as their local adjusted levels of performance or negotiate new levels with the eligible agency.</b></p>

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	<p>and (B) of paragraph (2) for career and technical education activities authorized under this title. The levels of performance established under this subparagraph shall, at a minimum--</p> <p>“(I) be expressed in a percentage or numerical form, consistent with the State levels of performance established under paragraph (3), so as to be objective, quantifiable, and measurable; and</p> <p>“(II) require the eligible recipient to continually make progress toward improving the performance of career and technical education students.</p>	
	<p>“(ii) <b>IDENTIFICATION IN THE LOCAL PLAN.</b>--Each eligible recipient shall identify, in the local plan submitted under section 134, levels of performance for each of the core indicators of performance for the first 2 program years covered by the local plan.</p>	<p><b>Performance targets must be included in the local plan.</b></p>
	<p>“(iii) <b>AGREEMENT ON LOCAL ADJUSTED LEVELS OF PERFORMANCE FOR FIRST 2 YEARS.</b>--The eligible agency and each eligible recipient</p>	<p><b>Negotiations on local adjusted levels of performance will occur every two years between the eligible agency and the eligible recipient. The first set of performance targets will be included in the local plan.</b></p>

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	<p>shall reach agreement, as described in clause (i), on the eligible recipient's levels of performance for each of the core indicators of performance for the first 2 program years covered by the local plan, taking into account the levels identified in the local plan under clause (ii) and the factors described in clause (v). The levels of performance agreed to under this clause shall be considered to be the local adjusted levels of performance for the eligible recipient for such years and shall be incorporated into the local plan prior to the approval of such plan.</p>	
	<p><b>“(iv) AGREEMENT ON LOCAL ADJUSTED LEVELS OF PERFORMANCE FOR SUBSEQUENT YEARS.</b>--Prior to the third and fifth program years covered by the local plan, the eligible agency and each eligible recipient shall reach agreement on the local adjusted levels of performance for each of the core indicators of performance for the corresponding subsequent program years covered by the local plan, taking into account the factors described in clause (v). The local adjusted levels of performance agreed to under this</p>	<p><b>Negotiations on local adjusted levels of performance will occur every two years between the eligible agency and the eligible recipient. Subsequent negotiations will take place before the 3<sup>rd</sup> and 5<sup>th</sup> year of the Act’s implementation.</b></p>

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	<p>clause shall be considered to be the local adjusted levels of performance for the eligible recipient for such years and shall be incorporated into the local plan.</p>	
	<p>“(v) <b>FACTORS.</b>--The agreement described in clause (iii) or (iv) shall take into account--</p> <p>“(I) how the levels of performance involved compare with the local adjusted levels of performance established for other eligible recipients in the State, taking into account factors including the characteristics of participants when the participants entered the program and the services or instruction to be provided; and</p> <p>“(II) the extent to which the local adjusted levels of performance promote continuous improvement on the core indicators of performance by the eligible recipient.</p>	<p><b>The eligible agency should take into consideration the characteristics of the participants served by the eligible recipient when negotiating performance targets.</b></p> <p><b>Eligible recipients must demonstrate continuous improvement through their performance targets.</b></p>
	<p>“(vi) <b>REVISIONS.</b>--If unanticipated circumstances arise with respect to an eligible recipient resulting in a significant change in the factors described in clause (v), the eligible recipient may request that the local adjusted</p>	<p><b>If certain factors are met, revisions can be made to the local adjusted levels of performance.</b></p> <p><b>The eligible agency shall issue objective criteria and methods for making such revisions.</b></p>

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	levels of performance agreed to under clause (iii) or (iv) be revised. The eligible agency shall issue objective criteria and methods for making such revisions.	
	<b>“(B) LEVELS OF PERFORMANCE FOR ADDITIONAL INDICATORS.-</b> -Each eligible recipient may identify, in the local plan, local levels of performance for any additional indicators of performance described in paragraph (2)(C). Such levels shall be considered to be the local levels of performance for purposes of this title.	<b>Additional indicators are allowed at the local level.</b>
	<b>“(C) LOCAL REPORT.--</b> <b>“(i) CONTENT OF REPORT.--</b> Each eligible recipient that receives an allocation described in section 112 shall annually prepare and submit to the eligible agency a report, which shall include the data described in clause (ii)(I), regarding the progress of such recipient in achieving the local adjusted levels of performance on the core indicators of performance.	<b>Requires eligible recipients to annually report to the eligible agency on progress in meeting negotiated levels of performance.</b>  <b>This data must be disaggregated according to the next section.</b>
	<b>“(ii) DATA.--</b> Except as provided	<b>Requires locals to disaggregate data by population groups as</b>

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	<p>in clauses (iii) and (iv), each eligible recipient that receives an allocation described in section 112 shall--</p> <p>“(I) disaggregate data for each of the indicators of performance under paragraph (2) for the categories of students described in section 1111(h)(1)(C)(i) of the Elementary and Secondary Education Act of 1965 and section 3(29) that are served under this Act; and</p> <p>“(II) identify and quantify any disparities or gaps in performance between any such category of students and the performance of all students served by the eligible recipient under this Act.</p>	<p><b>described in NCLB and to account for achievement gaps.</b></p> <p><b>The disaggregation categories include:</b></p> <ul style="list-style-type: none"> <li>• <b>race/ethnicity</b></li> <li>• <b>gender</b></li> <li>• <b>migrant student</b></li> <li>• <b>individuals with disabilities;</b></li> <li>• <b>individuals from economically disadvantaged families, including foster children;</b></li> <li>• <b>individuals preparing for non-traditional fields;</b></li> <li>• <b>single parents, including single pregnant women;</b></li> <li>• <b>displaced homemakers; and</b></li> <li>• <b>individuals with limited English proficiency.</b></li> </ul> <p><b>In addition to reporting the disaggregated data, there is a reporting requirement to identify and quantify gaps in performance among the subgroups.</b></p>
	<p>“(iii) <b>NONDUPLICATION.</b>--The eligible agency shall ensure, in a manner that is consistent with the actions of the Secretary under subsection (c)(3), that each eligible recipient does not report duplicative information under this section.</p>	<p><b>The eligible agency must ensure that the special pops disaggregation categories and the NCLB disaggregation categories required in the paragraph above do not result in the collection of duplicate information.</b></p>
	<p>“(iv) <b>RULES FOR REPORTING OF DATA.</b>--The disaggregation of data under clause (ii) shall not be required when the number of students in a</p>	<p><b>Exempts eligible recipients from collecting data when there are too few students to yield reliable data.</b></p>



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	category is insufficient to yield statistically reliable information or when the results would reveal personally identifiable information about an individual student.	
	“(v) <b>AVAILABILITY.</b> --The report described in clause (i) shall be made available to the public through a variety of formats, including electronically through the Internet.	<b>Performance and reporting data required under this section must be made available to the public through multiple means, including the Internet.</b>
<p><b>“(c) REPORT.—</b></p> <p><b>“(1) IN GENERAL.—</b>Each eligible agency that receives an allotment under section 111 shall annually prepare and submit to the Secretary a report regarding—</p> <p>“(A) the progress of the State in achieving the State adjusted levels of performance on the core indicators of performance; and</p> <p>“(B) information on the levels of performance achieved by the State with respect to the additional indicators of performance, including the levels of performance for special populations.</p>	<p><i>“(c) Report.--</i></p> <p><i>“(1) IN GENERAL.--</i>Each eligible agency that receives an allotment under section 111 shall annually prepare and submit to the Secretary a report regarding--</p> <p><i>“(A) the progress of the State in achieving the State adjusted levels of performance on the core indicators of performance; and</i></p> <p><i>“(B) information on the levels of performance achieved by the State with respect to the additional indicators of performance, including the levels of performance for special populations.</i></p>	<b>No change. This is the language that authorizes the CAR report.</b>
<b>“(2) SPECIAL POPULATIONS.—</b> The report submitted by the eligible agency in	<i>“(2) DATA.--</i> Except as provided in paragraphs (3) and (4), each eligible agency that receives an	<b>Requires the eligible agency to disaggregate data by population groups as described in NCLB and to account for achievement gaps.</b>

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<p>accordance with paragraph (1) shall include a quantifiable description of the progress special populations participating in vocational and technical education programs have made in meeting the State adjusted levels of performance established by the eligible agency.</p>	<p>allotment under section 111 or 201 shall--</p> <p>“(A) disaggregate data for each of the indicators of performance under subsection (b)(2) for the categories of students described in section 1111(h)(1)(C)(i) of the Elementary and Secondary Education Act of 1965 and section 3(29) that are served under this Act; and</p> <p>“(B) identify and quantify any disparities or gaps in performance between any such category of students and the performance of all students served by the eligible agency under this Act, which shall include a quantifiable description of the progress each such category of students served by the eligible agency under this Act has made in meeting the State adjusted levels of performance.</p>	<p><b>The disaggregation categories include:</b></p> <ul style="list-style-type: none"> <li>• <b>race/ ethnicity</b></li> <li>• <b>gender</b></li> <li>• <b>migrant student</b></li> <li>• <b>individuals with disabilities;</b></li> <li>• <b>individuals from economically disadvantaged families, including foster children;</b></li> <li>• <b>individuals preparing for non-traditional fields;</b></li> <li>• <b>single parents, including single pregnant women;</b></li> <li>• <b>displaced homemakers; and</b></li> <li>• <b>individuals with limited English proficiency.</b></li> </ul> <p><b>In addition to reporting the disaggregated data, there is a reporting requirement to identify and quantify gaps in performance among the subgroups.</b></p>
	<p>“(3) <b>NONDUPLICATION.</b>--The Secretary shall ensure that each eligible agency does not report duplicative information under this section.</p>	<p><b>The Secretary must ensure that the special pops disaggregation categories and the NCLB disaggregation categories required in the paragraph above do not result in the collection of duplicate information by states.</b></p>
	<p>“(4) <b>RULES FOR REPORTING OF DATA.</b>--The disaggregation of data under paragraph (2) shall not be required</p>	<p><b>Exempts eligible agencies from collecting data when there are too few students to yield reliable data.</b></p>

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	when the number of students in a category is insufficient to yield statistically reliable information or when the results would reveal personally identifiable information about an individual student.	
<p><b>“(3) INFORMATION DISSEMINATION.—</b>The Secretary—</p> <p>“(A) shall make the information contained in such reports available to the general public;</p> <p>“(B) shall disseminate State-by-State comparisons of the information; and</p> <p>“(C) shall provide the appropriate committees of Congress copies of such reports.</p>	<p><b>“(5) INFORMATION DISSEMINATION.--</b>The Secretary--</p> <p>“(A) shall make the information contained in such reports available to the general public through a variety of formats, including electronically through the Internet;</p> <p>“(B) shall disseminate State-by-State comparisons of the information; and</p> <p>“(C) shall provide the appropriate committees of Congress with copies of such reports.</p>	<p><b>No substantive change.</b></p> <p><b>Requires the state performance and accountability data to be distributed to the public in a variety of ways and specifically mentions electronic distribution through the Internet.</b></p>
<p><b>“SEC. 114. NATIONAL ACTIVITIES.</b></p> <p><b>“(a) PROGRAM PERFORMANCE INFORMATION.—</b></p> <p><b>“(1) IN GENERAL.—</b>The Secretary shall collect performance</p>	<p><b>“(SEC. 114. NATIONAL ACTIVITIES.</b></p> <p>“(a) <i>Program Performance Information.--</i></p> <p>“(1) <b>IN GENERAL.--</b>The Secretary shall collect performance information about,</p>	<p><b>No change.</b></p>

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information about, and report on, the condition of vocational and technical education and on the effectiveness of State and local programs, services, and activities carried out under this title in order to provide the Secretary and Congress, as well as Federal, State, local, and tribal agencies, with information relevant to improvement in the quality and effectiveness of vocational and technical education. The Secretary annually shall report to Congress on the Secretary's aggregate analysis of performance information collected each year pursuant to this title, including an analysis of performance data regarding special populations.	and report on, the condition of career and technical education and on the effectiveness of State and local programs, services, and activities carried out under this title in order to provide the Secretary and Congress, as well as Federal, State, local, and tribal agencies, with information relevant to improvement in the quality and effectiveness of career and technical education. The Secretary shall report annually to Congress on the Secretary's aggregate analysis of performance information collected each year pursuant to this title, including an analysis of performance data regarding special populations.	
<b>“(2) COMPATIBILITY.</b> —The Secretary shall, to the extent feasible, ensure that the performance information system is compatible with other Federal information systems.	<b>“(2) COMPATIBILITY.</b> --The Secretary shall, to the extent feasible, ensure that the performance information system is compatible with other Federal information systems.	<b>No change.</b>
<b>“(3) ASSESSMENTS.</b> —As a regular part of its assessments, the National Center for Education Statistics shall collect and report information on vocational and technical education for a nationally representative sample of students. Such assessment may include	<b>“(3) ASSESSMENTS.</b> --As a regular part of its assessments, the National Center for Education Statistics shall collect and report information on career and technical education for a nationally representative sample of students. Such assessment may	<b>No change. This language authorizes the Data on Vocational Education group that has as its responsibility culling data from other NCES survey data sets to articulate a national picture on CTE. For more information, go to: <a href="http://nces.ed.gov/surveys/dove/">http://nces.ed.gov/surveys/dove/</a></b>

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international comparisons.	include international comparisons in the aggregate.	
<p><b>“(b) MISCELLANEOUS PROVISIONS.—</b></p> <p><b>“(1) COLLECTION OF INFORMATION AT REASONABLE COST.—</b>The Secretary shall take such action as may be necessary to secure at reasonable cost the information required by this title. To ensure reasonable cost, the Secretary, in consultation with the National Center for Education Statistics, the Office of Vocational and Adult Education, and an entity assisted under section 118 shall determine the methodology to be used and the frequency with which information is to be collected.</p>	<p><i>“(b) Miscellaneous Provisions.--</i></p> <p><i>“(1) COLLECTION OF INFORMATION AT REASONABLE COST.--</i>The Secretary shall take such action as may be necessary to secure at reasonable cost the information required by this title. To ensure reasonable cost, the Secretary, in consultation with the National Center for Education Statistics, the Office of Vocational and Adult Education, and an entity assisted under section 118 (if applicable), shall determine the methodology to be used and the frequency with which information is to be collected.</p>	No change.
<p><b>“(2) COOPERATION OF STATES.—</b>All eligible agencies receiving assistance under this Act shall cooperate with the Secretary in implementing the information systems developed pursuant to this Act.</p>	<p><i>“(2) COOPERATION OF STATES.--</i>All eligible agencies receiving assistance under this Act shall cooperate with the Secretary in implementing the information systems developed pursuant to this Act.</p>	No change.
<p><b>“(c) RESEARCH, DEVELOPMENT, DISSEMINATION, EVALUATION AND ASSESSMENT.—</b></p> <p><b>“(1) SINGLE PLAN.—</b></p>	<p><i>“(c) Single Plan for Research, Development, Dissemination, Evaluation, and Assessment.--</i></p> <p><i>“(1) IN GENERAL.--</i>The Secretary may, directly or through</p>	No change.

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<p>“(A) <b>IN GENERAL.</b>—The Secretary may, directly or through grants, contracts, or cooperative agreements, carry out research, development, dissemination, evaluation and assessment, capacity building, and technical assistance with regard to the vocational and technical education programs under this Act. The Secretary shall develop a single plan for such activities.</p>	<p>grants, contracts, or cooperative agreements, carry out research, development, dissemination, evaluation and assessment, capacity building, and technical assistance with regard to the career and technical education programs under this Act. The Secretary shall develop a single plan for such activities.</p>	
<p>“(B) <b>PLAN.</b>—Such plan shall—</p> <p>“(i) identify the vocational and technical education activities described in subparagraph (A) the Secretary will carry out under this section;</p> <p>“(ii) describe how the Secretary will evaluate such vocational and technical education activities in accordance with paragraph (3); and</p> <p>“(iii) include such other information as the Secretary determines to be appropriate.</p>	<p>“(2) <b>PLAN.</b>--Such plan shall--</p> <p>“(A) identify the career and technical education activities described in paragraph (1) that the Secretary will carry out under this section;</p> <p>“(B) describe how the Secretary will evaluate such career and technical education activities in accordance with subsection (d)(2); and</p> <p>“(C) include such other information as the Secretary determines to be appropriate.</p>	<p><b>No change.</b></p> <p><b>This language authorizes the National Activities administered by OVAE.</b></p>
<p>“(2) <b>INDEPENDENT ADVISORY PANEL.</b>—The Secretary shall appoint an independent advisory panel, consisting of vocational and</p>	<p>“(d) <i>Advisory Panel; Evaluation; Reports.</i>—</p> <p>“(1) <b>INDEPENDENT</b></p>	<p><b>Similar to current law.</b></p>

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<p>technical education administrators, educators, researchers, and representatives of labor organizations, businesses, parents, guidance and counseling professionals, and other relevant groups, to advise the Secretary on the implementation of the assessment described in paragraph (3), including the issues to be addressed, the methodology of the studies involved, and the findings and recommendations resulting from the assessment.</p> <p>The panel shall submit to the Committee on Education and the Workforce of the House of Representatives, the Committee on Labor and Human Resources of the Senate, and the Secretary an independent analysis of the findings and recommendations resulting from the assessment described in paragraph (3). The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the panel established under this subsection.</p>	<p><b>ADVISORY PANEL.--</b></p> <p>“(A) <b>IN GENERAL.</b>--The Secretary shall appoint an independent advisory panel to advise the Secretary on the implementation of the assessment described in paragraph (2), including the issues to be addressed and the methodology of the studies involved to ensure that the assessment adheres to the highest standards of quality.</p> <p>“(B) <b>MEMBERS.</b>--The advisory panel shall consist of--</p> <p>“(i) educators, administrators, State directors of career and technical education, and chief executives, including those with expertise in the integration of academic and career and technical education;</p> <p>“(ii) experts in evaluation, research, and assessment;</p> <p>“(iii) representatives of labor organizations and businesses, including small businesses, economic development entities, and workforce investment entities;</p>	<p><b>The NAVE is required to have an independent advisory panel. State Directors are required to be on the NAVE advisory panel. The list of required panel members is expanded.</b></p>

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	<p>“(iv) parents;</p> <p>“(v) career guidance and academic counseling professionals; and</p> <p>“(vi) other individuals and intermediaries with relevant expertise.</p>	
	<p>“(C) <b>INDEPENDENT ANALYSIS.</b>--The advisory panel shall transmit to the Secretary, the relevant committees of Congress, and the Library of Congress an independent analysis of the findings and recommendations resulting from the assessment described in paragraph (2).</p>	<p><b>Same as current law.</b></p> <p><b>The NAVE findings must be sent to the Secretary of Education, relevant Congressional Committees, and the Library of Congress.</b></p>
	<p>“(D) <b>FACA.</b>--The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the panel established under this paragraph.</p>	<p><b>No change.</b></p>
<p><b>“(3) EVALUATION AND ASSESSMENT.—</b></p> <p><b>“(A) IN GENERAL.—</b>From amounts made available under paragraph (8), the Secretary shall provide for the conduct of an independent evaluation and assessment of vocational and technical education programs under this Act through studies and</p>	<p>“(2) <b>EVALUATION AND ASSESSMENT.</b>--</p> <p>“(A) <b>IN GENERAL.</b>--From amounts made available under subsection (e), the Secretary shall provide for the conduct of an independent evaluation and assessment of career and technical education programs under this Act, including the implementation</p>	<p><b>No change. The NAVE focuses on both an analysis of the implementation of the Perkins Act (Perkins IV) as well as addresses the state of the enterprise of CTE.</b></p> <p><b>For information on the NAVE findings from Perkins III, go to:</b>  <a href="http://www.ed.gov/rschstat/eval/sectech/nave/navefinal.pdf">http://www.ed.gov/rschstat/eval/sectech/nave/navefinal.pdf</a>  <b>or</b> <a href="http://www.careertech.org/uploaded_files/NAVE_Summary.doc">http://www.careertech.org/uploaded_files/NAVE_Summary.doc</a></p>



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analyses conducted independently through grants, contracts, and cooperative agreements that are awarded on a competitive basis.	of the Carl D. Perkins Career and Technical Education Improvement Act of 2006, to the extent practicable, through studies and analyses conducted independently through grants, contracts, and cooperative agreements that are awarded on a competitive basis.	
<p><b>“(B) CONTENTS.—</b>The assessment required under paragraph (1) shall include descriptions and evaluations of—</p> <p>“(i) the extent to which State, local, and tribal entities have developed, implemented, or improved State and local vocational and technical education programs and the effect of programs assisted under this Act on that development, implementation, or improvement, including the capacity of State, tribal, and local vocational and technical education systems to achieve the purpose of this Act;</p>	<p><b>“(B) CONTENTS.--</b>The assessment required under subparagraph (A) shall include descriptions and evaluations of--</p> <p>“(i) the extent to which State, local, and tribal entities have developed, implemented, or improved State and local career and technical education programs assisted under this Act;</p>	<b>No change.</b>
<p>“(ii) the extent to which expenditures at the Federal, State, tribal, and local levels address program improvement in vocational and technical education, including the impact of Federal allocation requirements (such as within-State allocation formulas) on the delivery of services;</p>		<b>Clause ii in Perkins III is eliminated and instead incorporated into a streamlined clause i.</b>

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<p>“(iii) the preparation and qualifications of teachers of vocational and technical, and academic, curricula in vocational and technical education programs, as well as shortages of such teachers;</p>	<p>“(ii) the preparation and qualifications of teachers and faculty of career and technical education (such as meeting State established teacher certification or licensing requirements), as well as shortages of such teachers and faculty;</p>	<p><b>No substantive change.</b></p>
<p>“(v) academic and employment outcomes of vocational and technical education, including analyses of—</p> <p>“(I) the number of vocational and technical education students and tech-prep students who meet State adjusted levels of performance;</p> <p>“(II) the extent and success of integration of academic, and vocational and technical, education for students participating in vocational and technical education programs; and</p> <p>“(III) the extent to which vocational and technical education programs prepare students for subsequent employment in high-wage, high-skill careers or participation in postsecondary education;</p>	<p>“(iii) academic and career and technical education achievement and employment outcomes of career and technical education, including analyses of--</p> <p>“(I) the extent and success of the integration of rigorous and challenging academic and career and technical education for students participating in career and technical education programs, including a review of the effect of such integration on the academic and technical proficiency achievement of such students (including the number of such students receiving a secondary school diploma); and</p> <p>“(II) the extent to which career and technical education programs prepare students, including special populations, for subsequent employment in high skill, high wage occupations (including those in which mathematics and science</p>	<p><b>Adds a new emphasis on CTE programs that prepare individuals for high skill, high wage careers specifically calling out those that require math and science skills.</b></p>

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	skills are critical), or for participation in postsecondary education;	
“(vi) employer involvement in, and satisfaction with, vocational and technical education programs;	“(iv) employer involvement in, and satisfaction with, career and technical education programs and career and technical education students' preparation for employment;	<b>Adds a provision that addresses program success in preparing students for employment.</b>
“(iv) participation of students in vocational and technical education programs;	“(v) the participation of students in career and technical education programs;	<b>No change.</b>
“(vii) the use and impact of educational technology and distance learning with respect to vocational and technical education and tech-prep programs; and	“(vi) the use of educational technology and distance learning with respect to career and technical education and tech prep programs; and	<b>No change.</b>
“(viii) the effect of State adjusted levels of performance and State levels of performance on the delivery of vocational and technical education services.	“(vii) the effect of State and local adjusted levels of performance and State and local levels of performance on the delivery of career and technical education services, including the percentage of career and technical education and tech prep students meeting the adjusted levels of performance described in section 113.	<b>This provision is similar to Perkins III with the addition of what percentage of CTE and Tech Prep students are meeting the adjusted levels of performance.</b>
<b>“(C) REPORTS.—</b>  <b>“(i) IN GENERAL.—</b> The Secretary shall submit to the Committee on Education and the	<b>“(C) REPORTS.--</b>  <b>“(i) IN GENERAL.--</b> The Secretary shall submit to the	<b>The Secretary of Education must make an interim report before January 1, 2010 and a final report before July 1, 2011.</b>

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<p>Workforce of the House of Representatives and the Committee on Labor and Human Resources of the Senate—</p> <p>“(I) an interim report regarding the assessment on or before January 1, 2002; and</p> <p>“(II) a final report, summarizing all studies and analyses that relate to the assessment and that are completed after the assessment, on or before July 1, 2002.</p>	<p>relevant committees of Congress--</p> <p>“(I) an interim report regarding the assessment on or before January 1, 2010; and</p> <p>“(II) a final report, summarizing all studies and analyses that relate to the assessment and that are completed after the interim report, on or before July 1, 2011.</p>	
<p><b>“(ii) PROHIBITION.—</b>Notwithstanding any other provision of law, the reports required by this subsection shall not be subject to any review outside the Department of Education before their transmittal to the Committee on Education and the Workforce of the House of Representatives, the Committee on Labor and Human Resources of the Senate, and the Secretary, but the President, the Secretary, and the independent advisory panel established under paragraph (2) may make such additional recommendations to Congress with respect to the assessment as the President, the Secretary, or the panel determine to be appropriate.</p>	<p><b>“(ii) PROHIBITION.--</b>Notwithstanding any other provision of law, the reports required by this subsection shall not be subject to any review outside the Department of Education before their transmittal to the relevant committees of Congress and the Secretary, but the President, the Secretary, and the independent advisory panel established under paragraph (1) may make such additional recommendations to Congress with respect to the assessment as the President, the Secretary, or the panel determine to be appropriate.</p>	<p><b>No change.</b></p>

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<p><b>“(4) COLLECTION OF STATE INFORMATION AND REPORT.—</b></p> <p><b>“(A) IN GENERAL.—</b>The Secretary may collect and disseminate information from States regarding State efforts to meet State adjusted levels of performance described in section 113.</p> <p><b>“(B) REPORT.—</b>The Secretary shall gather any information collected pursuant to subparagraph (A) and submit a report to the Committee on Education and the Workforce of the House of Representatives and the Committee on Labor and Human Resources of the Senate.</p>	<p><b>“(3) COLLECTION OF STATE INFORMATION AND REPORT.--</b></p> <p><b>“(A) IN GENERAL.--</b>The Secretary may collect and disseminate information from States regarding State efforts to meet State adjusted levels of performance described in section 113(b).</p> <p><b>“(B) REPORT.--</b>The Secretary shall gather any information collected pursuant to subparagraph (A) and submit a report to the relevant committees in Congress.</p>	<p>No change.</p>
<p><b>“(5) RESEARCH.—</b></p> <p><b>“(A) IN GENERAL.—</b>The Secretary, after consulting with the States, shall award grants, contracts, or cooperative agreements on a competitive basis to an institution of higher education, a public or private nonprofit organization or agency, or a consortium of such institutions, organizations, or agencies to establish a national research center or centers—</p>	<p><b>“(4) RESEARCH.--</b></p> <p><b>“(A) IN GENERAL.--</b>From amounts made available under subsection (e), the Secretary, after consulting with the States, shall award a grant, contract, or cooperative agreement, on a competitive basis, to an institution of higher education, a public or private nonprofit organization or agency, or a consortium of such institutions, organizations, or agencies to establish a national</p>	<p><b>This language authorizes the National Research Center. The language allows for only one center, as opposed to Perkins III which allows for more than one center.</b></p> <p><b>Throughout the National Research Center language, there is a consistent focus on both scientifically based research and evaluation. This focus encourages the Center’s work to be more rigorous research studies that are typically longitudinal in nature but also by virtue of the use of the term “evaluation” the Center can also engage in more flexible, shorter term studies that analyze the impact of programs, interventions, etc.</b></p>

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	research center--	
“(i) to carry out research for the purpose of developing, improving, and identifying the most successful methods for successfully addressing the education, employment, and training needs of participants in vocational and technical education programs, including research and evaluation in such activities as—	“(i) to carry out scientifically based research and evaluation for the purpose of developing, improving, and identifying the most successful methods for addressing the education, employment, and training needs of participants, including special populations, in career and technical education programs, including research and evaluation in such activities as--	<b>New language calls attention to ensuring the research highlights the needs of special populations.</b>
“(I) the integration of vocational and technical instruction, and academic, secondary and postsecondary instruction;	“(I) the integration of--  “(aa) career and technical instruction; and  “(bb) academic, secondary and postsecondary instruction;	<b>No change.</b>
“(II) education technology and distance learning approaches and strategies that are effective with respect to vocational and technical education;	“(II) education technology and distance learning approaches and strategies that are effective with respect to career and technical education;	<b>No change.</b>
“(III) State adjusted levels of performance and State levels of performance that serve to improve vocational and technical education programs and student achievement; and	“(III) State adjusted levels of performance and State levels of performance that serve to improve career and technical education programs and student achievement;	<b>No change.</b>
“(IV) academic knowledge and vocational and technical skills required for employment or	“(IV) academic knowledge and career and technical skills required for employment or participation in	<b>No change.</b>

1998	2006	Differences/Comments
participation in postsecondary education;	postsecondary education; and	
	<p>“(V) preparation for occupations in high skill, high wage, or high demand business and industry, including examination of--</p> <p>“(aa) collaboration between career and technical education programs and business and industry; and</p> <p>“(bb) academic and technical skills required for a regional or sectoral workforce, including small business;</p>	<p><b>A new provision is added to require research on how well CTE is preparing participants for “high skill, high wage, or high demand” jobs. The provision specifically requires an examination of collaboration between CTE and the employer community and the specific academic and technical skills needed to support a “regional or sectoral” workforce.</b></p>
“(ii) to carry out research to increase the effectiveness and improve the implementation of vocational and technical education programs, including conducting research and development, and studies, providing longitudinal information or formative evaluation with respect to vocational and technical education programs and student achievement;	“(ii) to carry out scientifically based research and evaluation to increase the effectiveness and improve the implementation of career and technical education programs that are integrated with coherent and rigorous content aligned with challenging academic standards, including conducting research and development, and studies, that provide longitudinal information or formative evaluation with respect to career and technical education programs and student achievement;	<p><b>New language requires the research to focus on how well CTE is integrating and aligning technical content with rigorous and challenging academic standards.</b></p> <p><b>Further, the language calls attention to the importance of longitudinal information and formative evaluations regarding CTE program and student achievement.</b></p>
“(iii) to carry out research that can be used to improve teacher training and learning in the vocational and	“(iii) to carry out scientifically based research and evaluation that can be used to improve the	<p><b>This language expands the audience of the research and professional development to include CTE professionals beyond teachers and faculty.</b></p>

1998	2006	Differences/Comments
technical education classroom, including—	preparation and professional development of teachers, faculty, and administrators, and to improve student learning in the career and technical education classroom, including--	
“(I) effective in-service and pre-service teacher education that assists vocational and technical education systems; and	<p>“(I) effective in-service and pre-service teacher and faculty education that assists career and technical education programs in--</p> <p>“(aa) integrating those programs with academic content standards and student academic achievement standards, as adopted by States under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965; and</p> <p>“(bb) coordinating technical education with industry-recognized certification requirements;</p>	<b>In addition to a focus on research informing in-service and pre-service teacher and faculty education programs, this new provision also calls attention to helping CTE professionals learn how to better integrate academic (NCLB) and technical content, and help coordinate their curricula with industry-recognized certification requirements.</b>
“(II) dissemination and training activities related to the applied research and demonstration activities described in this subsection, which may also include serving as a repository for information on vocational and technical skills, State academic standards, and related materials; and	“(II) dissemination and training activities related to the applied research and demonstration activities described in this subsection, which may also include serving as a repository for information on career and technical skills, State academic standards, and related materials; and	<b>No change.</b>
	“(III) the recruitment and	<b>This new provision requires research that addresses teacher</b>



1998	2006	Differences/Comments
	retention of career and technical education teachers, faculty, counselors, and administrators, including individuals in groups underrepresented in the teaching profession; and	<b>recruitment and retention, with special focus on underrepresented groups.</b>
“(iv) to carry out such other research as the Secretary determines appropriate to assist State and local recipients of funds under this Act.	“(iv) to carry out such other research and evaluation, consistent with the purposes of this Act, as the Secretary determines appropriate to assist State and local recipients of funds under this Act.	<b>No change.</b>
“(B) <b>REPORT.</b> —The center or centers conducting the activities described in subparagraph (A) shall annually prepare a report of key research findings of such center or centers and shall submit copies of the report to the Secretary, the Committee on Education and the Workforce of the House of Representatives, the Committee on Labor and Human Resources of the Senate, the Library of Congress, and each eligible agency.	“(B) <b>REPORT.</b> --The center conducting the activities described in subparagraph (A) shall annually prepare a report of the key research findings of such center and shall submit copies of the report to the Secretary, the relevant committees of Congress, the Library of Congress, and each eligible agency.	<b>No change.</b>
“(C) <b>DISSEMINATION.</b> —The center or centers shall conduct dissemination and training activities based upon the research described in subparagraph (A).	“(C) <b>DISSEMINATION.</b> --The center shall conduct dissemination and training activities based upon the research described in subparagraph (A).	<b>No change.</b>
“(6) <b>DEMONSTRATIONS AND DISSEMINATION.</b> —	“(5) <b>DEMONSTRATIONS AND DISSEMINATION.</b> --The	<b>No change.</b>

1998	2006	Differences/Comments
<p><b>“(A) DEMONSTRATION PROGRAM.</b>—The Secretary is authorized to carry out demonstration vocational and technical education programs, to replicate model vocational and technical education programs, to disseminate best practices information, and to provide technical assistance upon request of a State, for the purposes of developing, improving, and identifying the most successful methods and techniques for providing vocational and technical education programs assisted under this Act.</p>	<p>Secretary is authorized to carry out demonstration career and technical education programs, to replicate model career and technical education programs, to disseminate best practices information, and to provide technical assistance upon request of a State, for the purposes of developing, improving, and identifying the most successful methods and techniques for providing career and technical education programs assisted under this Act.</p>	<p><b>This language allows the Secretary to authorize National Activities that promote sharing of best practices and to provide technical assistance to states.</b></p>
<p><b>“(B) DEMONSTRATION PARTNERSHIP.</b>—  <b>“(i) IN GENERAL.</b>—The Secretary shall carry out a demonstration partnership project involving a 4-year, accredited postsecondary institution, in cooperation with local public education organizations, volunteer groups, and private sector business participants to provide program support, and facilities for education, training, tutoring, counseling, employment preparation, specific skills training in emerging and established professions, and for retraining of military medical personnel,</p>		<p><b>Demonstration partnership is eliminated.</b></p>

1998	2006	Differences/Comments
<p>individuals displaced by corporate or military restructuring, migrant workers, as well as other individuals who otherwise do not have access to such services, through multisite, multistate distance learning technologies.</p> <p>“(ii) PROGRAM.—Such program may be carried out directly or through grants, contracts, cooperative agreements, or through the national center or centers established under paragraph (5).</p>		
<p>“(7) DEFINITION.—In this section, the term ‘institution of higher education’ has the meaning given the term in section 101 of the Higher Education Act of 1965.</p>		<p><b>Demonstration partnership is eliminated.</b></p>
<p>“(8) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for fiscal year 1999 and each of the 4 succeeding fiscal years.</p>	<p>“(e) <i>Authorization of Appropriations.</i>--There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2007 through 2012.</p>	<p><b>Authorizes appropriations for National Activities (NAVE, National Center and OVAE National Programs) for 2007-2012.</b></p>
<p>“SEC. 115. ASSISTANCE FOR THE OUTLYING AREAS.</p> <p>“(a) OUTLYING AREAS.—</p> <p>From funds reserved pursuant to section 111(a)(1)(A), the Secretary shall—</p> <p>“(1) make a grant in the amount of \$500,000 to Guam; and</p> <p>“(2) make a grant in the amount of</p>	<p>“SEC. 115. ASSISTANCE FOR THE OUTLYING AREAS.</p> <p>“(a) <i>Outlying Areas.</i>--From funds reserved pursuant to section 111(a)(1)(A), the Secretary shall--</p> <p>“(1) make a grant in the</p>	<ul style="list-style-type: none"> <li>• <b>Increases grant to Guam by \$160,000.</b></li> <li>• <b>Increases grant to American Samoa and Mariana Islands by \$160,000.</b></li> <li>• <b>Makes a grant to Palau for \$160,000.</b></li> </ul>

1998	2006	Differences/Comments
<p>\$190,000 to each of American Samoa and the Commonwealth of the Northern Mariana Islands.</p>	<p>amount of \$660,000 to Guam;</p> <p>“(2) make a grant in the amount of \$350,000 to each of American Samoa and the Commonwealth of the Northern Mariana Islands; and</p> <p>“(3) make a grant of \$160,000 to the Republic of Palau, subject to subsection (d).</p>	
<p>“(b) <b>REMAINDER.</b>—Subject to the provisions of subsection (a), the Secretary shall make a grant of the remainder of funds reserved pursuant to section 111(a)(1)(A) to the Pacific Region Educational Laboratory in Honolulu, Hawaii, to make grants for vocational and technical education and training in Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau, for the purpose of providing direct vocational and technical educational services, including—</p> <p>“(1) teacher and counselor training and retraining;</p> <p>“(2) curriculum development; and</p>	<p>“(b) <i>Remainder.</i>--</p> <p>“(1) <b>FIRST YEAR.</b>--Subject to subsection (a), for the first fiscal year following the date of enactment of the Carl D. Perkins Career and Technical Education Improvement Act of 2006, the Secretary shall make a grant of the remainder of funds reserved pursuant to section 111(a)(1)(A) to the Pacific Region Educational Laboratory in Honolulu, Hawaii, to make grants for career and technical education and training in Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, for the purpose of providing direct career and technical educational services, including--</p> <p>“(A) teacher and counselor</p>	<p><b>No change for the first year.</b></p>

1998	2006	Differences/Comments
<p>“(3) the improvement of vocational and technical education and training programs in secondary schools and institutions of higher education, or improving cooperative education programs involving both secondary schools and institutions of higher education.</p>	<p>training and retraining;</p> <p>“(B) curriculum development; and</p> <p>“(C) the improvement of career and technical education and training programs in secondary schools and institutions of higher education, or improving cooperative education programs involving secondary schools and institutions of higher education.</p>	
	<p>“(2) <b>SUBSEQUENT YEARS.</b>-- Subject to subsection (a), for the second fiscal year following the date of enactment of the Carl D. Perkins Career and Technical Education Improvement Act of 2006, and each subsequent year, the Secretary shall make a grant of the remainder of funds reserved pursuant to section 111(a)(1)(A) and subject to subsection (a), in equal proportion, to each of Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, to be used to provide direct career and technical educational services as described in subparagraphs (A) through (C) of paragraph (1).</p>	<p><b>In subsequent years, if remainder funds are distributed, the same principles apply to Guam, American Samoa and the Commonwealth of the Northern Mariana Islands.</b></p>
<p>“(c) <b>LIMITATION.</b>—The Pacific Region Educational Laboratory</p>	<p>“(c) <i>Limitation.</i>--The Pacific Region Educational Laboratory</p>	<p><b>No change.</b></p>

1998	2006	Differences/Comments
may use not more than 5 percent of the funds received under subsection (b) for administrative costs.	may use not more than 5 percent of the funds received under subsection (b)(1) for administrative costs.	
<p><b>“(d) RESTRICTION.—</b> Notwithstanding any other provision of law, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau shall not receive any funds under this title for any fiscal year that begins after September 30, 2001.</p>	<p><i>“(d) Restriction.--</i>The Republic of Palau shall cease to be eligible to receive funding under this section upon entering into an agreement for an extension of United States educational assistance under the Compact of Free Association, unless otherwise provided in such agreement.</p>	<p><b>The Republic of Palau is ineligible for receiving these funds if they enter into an agreement extending U.S. education assistance under the Compact of Free Association, unless otherwise specified in the agreement.</b></p> <p><b>The Republic of the Marshall Islands and the Federated States of Micronesia are removed from this restriction.</b></p>
<p><b>“SEC. 116. NATIVE AMERICAN PROGRAM.</b></p> <p><b>“(a) DEFINITIONS.—</b>In this section:</p> <p>“(1) ALASKA NATIVE.—The term ‘Alaska Native’ means a Native as such term is defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602(b)).</p> <p>“(2) BUREAU FUNDED SCHOOL.—The term ‘Bureau funded school’ has the meaning given the term in section 1146 of the Education Amendments of 1978 (25 U.S.C. 2026).</p> <p>“(3) INDIAN, INDIAN TRIBE, AND TRIBAL</p>	<p><b>“SEC. 116. NATIVE AMERICAN PROGRAMS.</b></p> <p><i>“(a) Definitions.--</i>In this section:</p> <p><i>“(1) ALASKA NATIVE.--</i>The term ‘Alaska Native’ means a Native as such term is defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602).</p> <p><i>“(2) BUREAU-FUNDED SCHOOL.--</i>The term ‘Bureau-funded school’ has the meaning given the term in section 1141 of the Education Amendments of 1978 (25 U.S.C. 2021).</p> <p><i>“(3) INDIAN, INDIAN</i></p>	<p><b>No change.</b></p>

1998	2006	Differences/Comments
<p><b>ORGANIZATION.</b>— The terms ‘Indian’, ‘Indian tribe’, and ‘tribal organization’ have the meanings given the terms in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).</p> <p>“(4) <b>NATIVE HAWAIIAN.</b>—The term ‘Native Hawaiian’ means any individual any of whose ancestors were natives, prior to 1778, of the area which now comprises the State of Hawaii.</p> <p>“(5) <b>NATIVE HAWAIIAN ORGANIZATION.</b>—The term ‘Native Hawaiian organization’ has the meaning given the term in section 9212 of the Native Hawaiian Education Act (20 U.S.C. 7912)</p>	<p><b>TRIBE, AND TRIBAL ORGANIZATION.</b>--The terms ‘Indian’, ‘Indian tribe’, and ‘tribal organization’ have the meanings given the terms in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).</p> <p>“(4) <b>NATIVE HAWAIIAN.</b>-- The term ‘Native Hawaiian’ means any individual any of whose ancestors were natives, prior to 1778, of the area which now comprises the State of Hawaii.</p> <p>“(5) <b>NATIVE HAWAIIAN ORGANIZATION.</b>--The term ‘Native Hawaiian organization’ has the meaning given the term in section 7207 of the Native Hawaiian Education Act (20 U.S.C. 7517).</p>	
<p><b>“(b) PROGRAM AUTHORIZED.</b>—</p> <p><b>“(1) AUTHORITY.</b>—From funds reserved under section 111(a)(1)(B)(i), the Secretary shall make grants to and enter into contracts with Indian tribes, tribal organizations, and Alaska Native entities to carry out the authorized programs described in subsection (d), except that such grants or</p>	<p>“(b) <i>Program Authorized.</i>--</p> <p>“(1) <b>AUTHORITY.</b>--From funds reserved under section 111(a)(1)(B)(i), the Secretary shall make grants to or enter into contracts with Indian tribes, tribal organizations, and Alaska Native entities to carry out the authorized programs described in subsection (c), except that such grants or contracts shall not be awarded to</p>	<p><b>No change.</b></p>

1998	2006	Differences/Comments
contracts shall not be awarded to secondary school programs in Bureau funded schools.	secondary school programs in Bureau-funded schools.	
<b>“(2) INDIAN TRIBES AND TRIBAL ORGANIZATIONS.—</b> The grants or contracts described in this section (other than in subsection (i)) that are awarded to any Indian tribe or tribal organization shall be subject to the terms and conditions of section 102 of the Indian Self-Determination Act (25 U.S.C. 450f ) and shall be conducted in accordance with the provisions of sections 4, 5, and 6 of the Act of April 16, 1934, which are relevant to the programs administered under this subsection.	<b>“(2) INDIAN TRIBES AND TRIBAL ORGANIZATIONS.--</b> The grants or contracts described in this section that are awarded to any Indian tribe or tribal organization shall be subject to the terms and conditions of section 102 of the Indian Self-Determination Act (25 U.S.C. 450f) and shall be conducted in accordance with the provisions of sections 4, 5, and 6 of the Act of April 16, 1934 (25 U.S.C. 455-457), which are relevant to the programs administered under this subsection.	No change.
<b>“(3) SPECIAL AUTHORITY RELATING TO SECONDARY SCHOOLS OPERATED OR SUPPORTED BY THE BUREAU OF INDIAN AFFAIRS.—</b> An Indian tribe, a tribal organization, or an Alaska Native entity, that receives funds through a grant made or contract entered into under paragraph (1) may use the funds to provide assistance to a secondary school operated or supported by the Bureau of Indian Affairs to enable such school to carry out vocational and technical education programs.	<b>“(3) SPECIAL AUTHORITY RELATING TO SECONDARY SCHOOLS OPERATED OR SUPPORTED BY THE BUREAU OF INDIAN AFFAIRS.--</b> An Indian tribe, a tribal organization, or an Alaska Native entity, that receives funds through a grant made or contract entered into under paragraph (1) may use the funds to provide assistance to a secondary school operated or supported by the Bureau of Indian Affairs to enable such school to carry out career and technical education programs.	No change.



1998	2006	Differences/Comments
<p><b>“(4) MATCHING.</b>—If sufficient funding is available, the Bureau of Indian Affairs shall expend an amount equal to the amount made available under this subsection, relating to programs for Indians, to pay a part of the costs of programs funded under this subsection. During each fiscal year the Bureau of Indian Affairs shall expend not less than the amount expended during the prior fiscal year on vocational and technical education programs, services, and technical activities administered either directly by, or under contract with, the Bureau of Indian Affairs, except that in no year shall funding for such programs, services, and activities be provided from accounts and programs that support other Indian education programs. The Secretary and the Assistant Secretary of the Interior for Indian Affairs shall prepare jointly a plan for the expenditure of funds made available and for the evaluation of programs assisted under this subsection. Upon the completion of a joint plan for the expenditure of the funds and the evaluation of the programs, the Secretary shall assume responsibility for the administration of the program, with the assistance and consultation of</p>	<p><b>“(4) MATCHING.</b>—If sufficient funding is available, the Bureau of Indian Affairs shall expend an amount equal to the amount made available under this subsection, relating to programs for Indians, to pay a part of the costs of programs funded under this subsection. During each fiscal year the Bureau of Indian Affairs shall expend not less than the amount expended during the prior fiscal year on career and technical education programs, services, and technical activities administered directly by, or under contract with, the Bureau of Indian Affairs, except that in no year shall funding for such programs, services, and activities be provided from accounts and programs that support other Indian education programs. The Secretary and the Assistant Secretary of the Interior for Indian Affairs shall prepare jointly a plan for the expenditure of funds made available and for the evaluation of programs assisted under this subsection. Upon the completion of a joint plan for the expenditure of the funds and the evaluation of the programs, the Secretary shall assume responsibility for the administration of the program,</p>	<p><b>No change.</b></p>

1998	2006	Differences/Comments
the Bureau of Indian Affairs.	with the assistance and consultation of the Bureau of Indian Affairs.	
<p><b>“(5) REGULATIONS.</b>—If the Secretary promulgates any regulations applicable to subsection (b)(2), the Secretary shall—</p> <p>“(A) confer with, and allow for active participation by, representatives of Indian tribes, tribal organizations, and individual tribal members; and</p> <p>“(B) promulgate the regulations under subchapter III of chapter 5 of title 5, United States Code, commonly known as the ‘Negotiated Rulemaking Act of 1990’.</p>	<p><b>“(5) REGULATIONS.</b>--If the Secretary promulgates any regulations applicable to paragraph (2), the Secretary shall--</p> <p>“(A) confer with, and allow for active participation by, representatives of Indian tribes, tribal organizations, and individual tribal members; and</p> <p>“(B) promulgate the regulations under subchapter III of chapter 5 of title 5, United States Code, commonly known as the ‘Negotiated Rulemaking Act of 1990’.</p>	<b>No change.</b>
<p><b>“(6) APPLICATION.</b>—Any Indian tribe, tribal organization, or Bureau funded school eligible to receive assistance under subsection (b) may apply individually or as part of a consortium with another such Indian tribe, tribal organization, or Bureau funded school.</p>	<p><b>“(6) APPLICATION.</b>--Any Indian tribe, tribal organization, or Bureau-funded school eligible to receive assistance under this subsection may apply individually or as part of a consortium with another such Indian tribe, tribal organization, or Bureau-funded school.</p>	<b>No change.</b>
<p><b>“(c) AUTHORIZED ACTIVITIES.</b>—</p> <p>“(1) AUTHORIZED</p>	<p><b>“(c) Authorized Activities.</b>--</p> <p>“(1) <b>AUTHORIZED PROGRAMS.</b>--Funds made</p>	<b>No change.</b>

1998	2006	Differences/Comments
<p>PROGRAMS.—Funds made available under this section shall be used to carry out vocational and technical education programs consistent with the purpose of this Act.</p> <p>“(2) <b>STIPENDS.</b>—</p> <p>“(A) <b>IN GENERAL.</b>—Funds received pursuant to grants or contracts awarded under subsection (b) may be used to provide stipends to students who are enrolled in vocational and technical education programs and who have acute economic needs which cannot be met through work-study programs.</p> <p>“(B) <b>AMOUNT.</b>—Stipends described in subparagraph (A) shall not exceed reasonable amounts as prescribed by the Secretary.</p>	<p>available under this section shall be used to carry out career and technical education programs consistent with the purpose of this Act.</p> <p>“(2) <b>STIPENDS.</b>--</p> <p>“(A) <b>IN GENERAL.</b>--Funds received pursuant to grants or contracts awarded under subsection (b) may be used to provide stipends to students who are enrolled in career and technical education programs and who have acute economic needs which cannot be met through work-study programs.</p> <p>“(B) <b>AMOUNT.</b>--Stipends described in subparagraph (A) shall not exceed reasonable amounts as prescribed by the Secretary.</p>	
<p>“(d) <b>GRANT OR CONTRACT APPLICATION.</b>—In order to receive a grant or contract under this section an organization, tribe, or entity described in subsection (b) shall submit an application to the Secretary that shall include an assurance that such organization, tribe, or entity shall comply with the requirements of this section.</p>	<p>“(d) <i>Grant or Contract Application.</i>--In order to receive a grant or contract under this section, an organization, tribe, or entity described in subsection (b) shall submit an application to the Secretary that shall include an assurance that such organization, tribe, or entity shall comply with the requirements of this section.</p>	<p><b>No change.</b></p>

1998	2006	Differences/Comments
<p><b>“(e) RESTRICTIONS AND SPECIAL CONSIDERATIONS.—</b>The Secretary may not place upon grants awarded or contracts entered into under subsection (b) any restrictions relating to programs other than restrictions that apply to grants made to or contracts entered into with States pursuant to allotments under section 111(a). The Secretary, in awarding grants and entering into contracts under this paragraph, shall ensure that the grants and contracts will improve vocational and technical education programs, and shall give special consideration to—</p> <p>“(1) programs that involve, coordinate with, or encourage tribal economic development plans; and</p> <p>“(2) applications from tribally controlled colleges or universities that—</p> <p>“(A) are accredited or are candidates for accreditation by a nationally recognized accreditation organization as an institution of postsecondary vocational and technical education; or</p>	<p>“(e) <i>Restrictions and Special Considerations.</i>--The Secretary may not place upon grants awarded or contracts entered into under subsection (b) any restrictions relating to programs other than restrictions that apply to grants made to or contracts entered into with States pursuant to allotments under section 111(a). The Secretary, in awarding grants and entering into contracts under this section, shall ensure that the grants and contracts will improve career and technical education programs, and shall give special consideration to--</p> <p>“(1) programs that involve, coordinate with, or encourage tribal economic development plans; and</p> <p>“(2) applications from tribally controlled colleges or universities that--</p> <p>“(A) are accredited or are candidates for accreditation by a nationally recognized accreditation organization as an institution of postsecondary career and technical education; or</p> <p>“(B) operate career and</p>	<p><b>No change.</b></p>

1998	2006	Differences/Comments
“(B) operate vocational and technical education programs that are accredited or are candidates for accreditation by a nationally recognized accreditation organization and issue certificates for completion of vocational and technical education programs.	technical education programs that are accredited or are candidates for accreditation by a nationally recognized accreditation organization, and issue certificates for completion of career and technical education programs.	
<b>“(f ) CONSOLIDATION OF FUNDS.</b> —Each organization, tribe, or entity receiving assistance under this section may consolidate such assistance with assistance received from related programs in accordance with the provisions of the Indian Employment, Training and Related Services Demonstration Act of 1992 (25 U.S.C. 3401 et seq.).	“(f) <i>Consolidation of Funds.</i> -- Each organization, tribe, or entity receiving assistance under this section may consolidate such assistance with assistance received from related programs in accordance with the provisions of the Indian Employment, Training and Related Services Demonstration Act of 1992 (25 U.S.C. 3401 et seq.).	<b>No change.</b>
<b>“(g) NONDUPLICATIVE AND NONEXCLUSIVE SERVICES.</b> —Nothing in this section shall be construed—  “(1) to limit the eligibility of any organization, tribe, or entity described in subsection (b) to participate in any activity offered by an eligible agency or eligible recipient under this title; or  “(2) to preclude or discourage any agreement, between any organization, tribe, or entity described in subsection (b) and any	“(g) <i>Nonduplicative and Nonexclusive Services.</i> --Nothing in this section shall be construed--  “(1) to limit the eligibility of any organization, tribe, or entity described in subsection (b) to participate in any activity offered by an eligible agency or eligible recipient under this title; or  “(2) to preclude or discourage any agreement, between any organization, tribe, or entity described in subsection (b) and	<b>No change.</b>

1998	2006	Differences/Comments
eligible agency or eligible recipient, to facilitate the provision of services by such eligible agency or eligible recipient to the population served by such eligible agency or eligible recipient.	any eligible agency or eligible recipient, to facilitate the provision of services by such eligible agency or eligible recipient to the population served by such eligible agency or eligible recipient.	
<p><b>“(h) NATIVE HAWAIIAN PROGRAMS.</b>—From the funds reserved pursuant to section 111(a)(1)(B)(ii), the Secretary shall award grants to or enter into contracts with organizations primarily serving and representing Native Hawaiians which are recognized by the Governor of the State of Hawaii to plan, conduct, and administer programs, or portions thereof, which are authorized by and consistent with the provisions of this section for the benefit of Native Hawaiians.</p>	<p><i>“(h) Native Hawaiian Programs.</i>--From the funds reserved pursuant to section 111(a)(1)(B)(ii), the Secretary shall award grants to or enter into contracts with community-based organizations primarily serving and representing Native Hawaiians to plan, conduct, and administer programs, or portions thereof, which are authorized by and consistent with the provisions of this section for the benefit of Native Hawaiians.</p>	<p><b>No change.</b></p>
<p><b>“SEC. 117. TRIBALLY CONTROLLED POSTSECONDARY VOCATIONAL AND TECHNICAL INSTITUTIONS.</b></p> <p><b>“(a) GRANTS AUTHORIZED.</b>—The Secretary shall, subject to the availability of appropriations, make grants pursuant to this section to tribally controlled postsecondary vocational and technical</p>	<p><b>“SEC. 117. TRIBALLY CONTROLLED POSTSECONDARY CAREER AND TECHNICAL INSTITUTIONS.</b></p> <p><i>“(a) Grants Authorized.</i>--The Secretary shall, subject to the availability of appropriations, make grants pursuant to this section to tribally controlled postsecondary career and technical</p>	<p><b>Institutions receiving aid under the Tribally Controlled College or University Assistance Act of 1978 or the Navajo Community College Act are ineligible for funds authorized under Section 117.</b></p>

1998	2006	Differences/Comments
institutions to provide basic support for the education and training of Indian students.	institutions that are not receiving Federal support under the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1801 et seq.) or the Navajo Community College Act (25 U.S.C. 640a et seq.) to provide basic support for the education and training of Indian students.	
<p><b>“(b) USE OF GRANTS.—</b> Amounts made available pursuant to this section shall be used for vocational and technical education programs.</p>	<p>“(b) <i>Uses of Grants.</i>--Amounts made available under this section shall be used for career and technical education programs for Indian students and for the institutional support costs of the grant, including the expenses described in subsection (e).</p>	<p><b>No effective change.</b></p>
<p><b>“(c) AMOUNT OF GRANTS.—</b></p> <p><b>“(1) IN GENERAL.—</b>If the sums appropriated for any fiscal year for grants under this section are not sufficient to pay in full the total amount which approved applicants are eligible to receive under this section for such fiscal year, the Secretary shall first allocate to each such applicant who received funds under this part for the preceding fiscal year an amount equal to 100 percent of the product of the per capita payment for the preceding fiscal year and such applicant’s Indian student count for the current program year, plus an amount</p>	<p>“(c) <i>Amount of Grants.</i>--</p> <p>“(1) <b>IN GENERAL.</b>--If the sums appropriated for any fiscal year for grants under this section are not sufficient to pay in full the total amount which approved applicants are eligible to receive under this section for such fiscal year, the Secretary shall first allocate to each such applicant who received funds under this part for the preceding fiscal year an amount equal to 100 percent of the product of the per capita payment for the preceding fiscal year and such applicant's Indian student</p>	<p><b>No substantive change.</b></p>

1998	2006	Differences/Comments
equal to the actual cost of any increase to the per capita figure resulting from inflationary increases to necessary costs beyond the institution's control.	count for the current program year, plus an amount equal to the actual cost of any increase to the per capita figure resulting from inflationary increases to necessary costs beyond the institution's control.	
“(2) <b>PER CAPITA DETERMINATION.</b> —For the purposes of paragraph (1), the per capita payment for any fiscal year shall be determined by dividing the amount available for grants to tribally controlled postsecondary vocational and technical institutions under this section for such program year by the sum of the Indian student counts of such institutions for such program year. The Secretary shall, on the basis of the most accurate data available from the institutions, compute the Indian student count for any fiscal year for which such count was not used for the purpose of making allocations under this section.	“(2) <b>PER CAPITA DETERMINATION.</b> --For the purposes of paragraph (1), the per capita payment for any fiscal year shall be determined by dividing the amount available for grants to tribally controlled postsecondary career and technical institutions under this section for such program year by the sum of the Indian student counts of such institutions for such program year. The Secretary shall, on the basis of the most accurate data available from the institutions, compute the Indian student count for any fiscal year for which such count was not used for the purpose of making allocations under this section.	No change.
	“(3) <b>INDIRECT COSTS.</b> --Notwithstanding any other provision of law or regulation, the Secretary shall not require the use of a restricted indirect cost rate for grants issued under this section.	Restricted indirect cost rate will not be required.
“(d) <b>APPLICATIONS.</b> —Any tribally controlled postsecondary	“(d) <i>Applications.</i> --Any tribally controlled postsecondary career	Institutions receiving aid under the Tribally Controlled College or University Assistance Act of 1978 or the Navajo Community College



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<p>vocational and technical institution that desires to receive a grant under this section shall submit an application to the Secretary in such manner and form as the Secretary may require.</p>	<p>and technical institution that is not receiving Federal support under the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1801 et seq.) or the Navajo Community College Act (25 U.S.C. 640a et seq.) that desires to receive a grant under this section shall submit an application to the Secretary in such manner and form as the Secretary may require.</p>	<p><b>Act are ineligible.</b></p>
<p><b>“(e) EXPENSES.—</b></p> <p><b>“(1) IN GENERAL.—</b>The Secretary shall, subject to the availability of appropriations, provide for each program year to each tribally controlled postsecondary vocational and technical institution having an application approved by the Secretary, an amount necessary to pay expenses associated with—</p>	<p><i>“(e) Expenses.--</i></p> <p><i>“(1) IN GENERAL.--</i>The Secretary shall, subject to the availability of appropriations, provide for each program year to each tribally controlled postsecondary career and technical institution having an application approved by the Secretary, an amount necessary to pay expenses associated with--</p>	<p><b>No change.</b></p>
<p><b>“(A) the maintenance and operation of the program, including development costs, costs of basic and special instruction (including special programs for individuals with disabilities and academic instruction), materials, student costs, administrative expenses, boarding costs, transportation, student services, daycare and</b></p>	<p><i>“(A) the maintenance and operation of the program, including development costs, costs of basic and special instruction (including special programs for individuals with disabilities and academic instruction), materials, student costs, administrative expenses, boarding costs, transportation, student services,</i></p>	<p><b>No change.</b></p>

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family support programs for students and their families (including contributions to the costs of education for dependents), and student stipends;	daycare and family support programs for students and their families (including contributions to the costs of education for dependents), and student stipends;	
“(B) capital expenditures, including operations and maintenance, and minor improvements and repair, and physical plant maintenance costs, for the conduct of programs funded under this section; and	“(B) capital expenditures, including operations and maintenance, and minor improvements and repair, and physical plant maintenance costs, for the conduct of programs funded under this section;	<b>No change.</b>
“(C) costs associated with repair, upkeep, replacement, and upgrading of the instructional equipment.	“(C) costs associated with repair, upkeep, replacement, and upgrading of the instructional equipment; and	<b>No change.</b>
	“(D) institutional support of career and technical education.	<b>This new provision allows these funds to provide institutional support of CTE.</b>
“(2) ACCOUNTING.—Each institution receiving a grant under this section shall provide annually to the Secretary an accurate and detailed accounting of the institution’s operating and maintenance expenses and such other information concerning costs as the Secretary may reasonably require	“(2) ACCOUNTING.—Each institution receiving a grant under this section shall provide annually to the Secretary an accurate and detailed accounting of the institution's operating and maintenance expenses and such other information concerning costs as the Secretary may reasonably require.	<b>No change.</b>
“(f ) OTHER PROGRAMS.—  “(1) IN GENERAL.—Except as specifically provided in this Act, eligibility for assistance under this section shall not preclude any	“(f) <i>Other Programs.</i> --  “(1) IN GENERAL.--Except as specifically provided in this Act, eligibility for assistance under this section shall not	<b>No change.</b>

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tribally controlled postsecondary vocational and technical institution from receiving Federal financial assistance under any program authorized under the Higher Education Act of 1965, or any other applicable program for the benefit of institutions of higher education or vocational and technical education.	preclude any tribally controlled postsecondary career and technical institution from receiving Federal financial assistance under any program authorized under the Higher Education Act of 1965, or under any other applicable program for the benefit of institutions of higher education or career and technical education.	
<b>“(2) PROHIBITION ON ALTERATION OF GRANT AMOUNT.</b> —The amount of any grant for which tribally controlled postsecondary vocational and technical institutions are eligible under this section shall not be altered because of funds allocated to any such institution from funds appropriated under the Act of November 2, 1921 (commonly known as the ‘Snyder Act’) (42 Stat. 208, chapter 115; 25 U.S.C. 13).	<b>“(2) PROHIBITION ON ALTERATION OF GRANT AMOUNT.</b> --The amount of any grant for which tribally controlled postsecondary career and technical institutions are eligible under this section shall not be altered because of funds allocated to any such institution from funds appropriated under the Act of November 2, 1921 (commonly known as the `Snyder Act') (25 U.S.C. 13).	<b>No change.</b>
<b>“(3) PROHIBITION ON CONTRACT DENIAL.</b> —No tribally controlled postsecondary vocational and technical institution for which an Indian tribe has designated a portion of the funds appropriated for the tribe from funds appropriated under the Act of November 2, 1921, may be denied a contract for such portion under the Indian Self-	<b>“(3) PROHIBITION ON CONTRACT DENIAL.</b> --No tribally controlled postsecondary career and technical institution for which an Indian tribe has designated a portion of the funds appropriated for the tribe from funds appropriated under the Act of November 2, 1921 (25 U.S.C. 13), may be denied a contract for such portion under the Indian Self-	<b>No change.</b>

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Determination and Education Assistance Act (except as provided in that Act), or denied appropriate contract support to administer such portion of the appropriated funds.	Determination and Education Assistance Act (except as provided in that Act), or denied appropriate contract support to administer such portion of the appropriated funds.	
<p><b>“(g) NEEDS ESTIMATE AND REPORT ON FACILITIES AND FACILITIES IMPROVEMENT.—</b></p> <p><b>“(1) NEEDS ESTIMATE.—</b>The Secretary shall, based on the most accurate data available from the institutions and Indian tribes whose Indian students are served under this section, and in consideration of employment needs, economic development needs, population training needs, and facilities needs, prepare an actual budget needs estimate for each institution eligible under this section for each subsequent program year, and submit such budget needs estimate to Congress in such a timely manner as will enable the appropriate committees of Congress to consider such needs data for purposes of the uninterrupted flow of adequate appropriations to such institutions. Such data shall take into account the purposes and requirements of part A of title IV of the Social Security Act.</p>		Needs estimate provision was eliminated.

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<p><b>“(2) STUDY OF TRAINING AND HOUSING NEEDS.—</b></p> <p>“(A) IN GENERAL.—The Secretary shall conduct a detailed study of the training, housing, and immediate facilities needs of each institution eligible under this section. The study shall include an examination of—</p> <p>“(i) training equipment needs;</p> <p>“(ii) housing needs of families whose heads of households are students and whose dependents have no alternate source of support while such heads of households are students; and</p> <p>“(iii) immediate facilities needs.</p> <p>“(B) REPORT.—The Secretary shall report to Congress not later than July 1, 2000, on the results of the study required by subparagraph (A).</p> <p>“(C) CONTENTS.—The report required by subparagraph (B) shall include the number, type, and cost of meeting the needs described in subparagraph (A), and rank each institution by relative need.</p> <p>“(D) PRIORITY.—In conducting the study required by subparagraph (A), the Secretary shall give priority to institutions that are receiving assistance under this section.</p>		<p><b>Needs estimate provision was eliminated.</b></p>
<p><b>“(3) LONG-TERM STUDY OF</b></p>		<p><b>Needs estimate provision was eliminated.</b></p>

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<p><b>FACILITIES.—</b>  “(A) IN GENERAL.—The Secretary shall provide for the conduct of a long-term study of the facilities of each institution eligible for assistance under this section.  “(B) CONTENTS.—The study required by subparagraph (A) shall include a 5-year projection of training facilities, equipment, and housing needs and shall consider such factors as projected service population, employment, and economic development forecasting, based on the most current and accurate data available from the institutions and Indian tribes affected.  “(C) SUBMISSION.—The Secretary shall submit to Congress a detailed report on the results of such study not later than the end of the 18-month period beginning on the date of enactment of this Act.</p>		
	<p>“(g) <i>Complaint Resolution Procedure.</i>--The Secretary shall establish (after consultation with tribally controlled postsecondary career and technical institutions) a complaint resolution procedure for grant determinations and calculations under this section for tribally controlled postsecondary career and technical institutions.</p>	<p><b>Secretary of Education is required to create a complaint resolution system for grant determinations and calculations.</b></p>

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<p><b>“(h) DEFINITIONS.—In this section:</b></p> <p><b>“(1) INDIAN.—</b>The terms ‘Indian’ and ‘Indian tribe’ have the meanings given the terms in section 2 of the Tribally Controlled College or University Assistance Act of 1978.</p>	<p>“(h) <i>Definitions.</i>--In this section:</p> <p>“(1) <b>INDIAN; INDIAN TRIBE.</b>--The terms ‘Indian’ and ‘Indian tribe’ have the meanings given the terms in section 2 of the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1801).</p>	<p><b>No change.</b></p>
<p><b>“(2) INDIAN STUDENT COUNT.—</b>The term ‘Indian student count’ means a number equal to the total number of Indian students enrolled in each tribally controlled postsecondary vocational and technical institution, determined as follows:</p> <p><b>“(A) REGISTRATIONS.—</b>The registrations of Indian students as in effect on October 1 of each year.</p> <p><b>“(B) SUMMER TERM.—</b>Credits or clock hours toward a certificate earned in classes offered during a summer term shall be counted toward the computation of the Indian student count in the succeeding fall term.</p> <p><b>“(C) ADMISSION CRITERIA.—</b>Credits or clock hours toward a certificate earned in classes during a summer term shall be counted toward the computation</p>	<p>“(2) <b>INDIAN STUDENT COUNT.</b>--</p> <p>“(A) <b>IN GENERAL.</b>--The term ‘Indian student count’ means a number equal to the total number of Indian students enrolled in each tribally controlled postsecondary career and technical institution, as determined in accordance with subparagraph (B).</p> <p>“(B) <b>DETERMINATION.</b>--</p> <p>“(i) <b>ENROLLMENT.</b>--For each academic year, the Indian student count shall be determined on the basis of the enrollments of Indian students as in effect at the conclusion of--</p> <p>“(I) in the case of the fall term, the third week of the fall term; and</p>	<p><b>Registrations/enrollments will be based on the Indian student count determined the third week of the fall/spring term rather than October 1 of each year.</b></p>

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<p>of the Indian student count if the institution at which the student is in attendance has established criteria for the admission of such student on the basis of the student's ability to benefit from the education or training offered. The institution shall be presumed to have established such criteria if the admission procedures for such studies include counseling or testing that measures the student's aptitude to successfully complete the course in which the student has enrolled. No credit earned by such student for purposes of obtaining a secondary school degree or its recognized equivalent shall be counted toward the computation of the Indian student count.</p> <p><b>“(D) DETERMINATION OF HOURS.</b>—Indian students earning credits in any continuing education program of a tribally controlled postsecondary vocational and technical institution shall be included in determining the sum of all credit or clock hours.</p> <p><b>“(E) CONTINUING EDUCATION.</b>—Credits or clock hours earned in a continuing education program shall be converted to the basis that is in</p>	<p>“(II) in the case of the spring term, the third week of the spring term.</p> <p>“(ii) <b>CALCULATION.</b>--For each academic year, the Indian student count for a tribally controlled postsecondary career and technical institution shall be the quotient obtained by dividing--</p> <p>“(I) the sum of the credit hours of all Indian students enrolled in the tribally controlled postsecondary career and technical institution (as determined under clause (i)); by</p> <p>“(II) 12.</p> <p>“(iii) <b>SUMMER TERM.</b>--Any credit earned in a class offered during a summer term shall be counted in the determination of the Indian student count for the succeeding fall term.</p> <p>“(iv) <b>STUDENTS WITHOUT SECONDARY SCHOOL DEGREES.</b>--</p> <p>“(I) <b>IN GENERAL.</b>--A credit earned at a tribally controlled postsecondary career and technical</p>	<p><b>The calculation of enrollment shall be determined by adding the credit hours of all Indian students enrolled and dividing said number by 12.</b></p>



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<p>accordance with the institution's system for providing credit for participation in such programs</p>	<p>institution by any Indian student that has not obtained a secondary school degree (or the recognized equivalent of such a degree) shall be counted toward the determination of the Indian student count if the institution at which the student is enrolled has established criteria for the admission of the student on the basis of the ability of the student to benefit from the education or training of the institution.</p> <p>“(II) <b>PRESUMPTION.</b>--The institution shall be presumed to have established the criteria described in subclause (I) if the admission procedures for the institution include counseling or testing that measures the aptitude of a student to successfully complete a course in which the student is enrolled.</p> <p>“(III) <b>CREDITS TOWARD SECONDARY SCHOOL DEGREE.</b>--No credit earned by an Indian student for the purpose of obtaining a secondary school degree (or the recognized equivalent of such a degree) shall be counted toward the determination of the Indian</p>	<p><b>Even if an Indian student does not have a secondary school degree, the credits earned by the student can still be used towards the institution's Indian student count. It is assumed that the institution will evaluate the ability of the student to benefit from the education and successfully complete a course.</b></p> <p><b>Credits earned for the purpose of obtaining a secondary school degree cannot be counted towards the institution's Indian student count.</b></p>

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	<p>student count under this clause.</p> <p><b>“(v) CONTINUING EDUCATION PROGRAMS.--</b> Any credit earned by an Indian student in a continuing education program of a tribally controlled postsecondary career and technical institution shall be included in the determination of the sum of all credit hours of the student if the credit is converted to a credit hour basis in accordance with the system of the institution for providing credit for participation in the program.</p>	<p><b>Any credits earned in a continuing education program will be included when calculating enrollment as long as the program is converted to a credit hour basis in accordance with the system of the institution.</b></p>
<p><b>“(i) AUTHORIZATION OF APPROPRIATIONS.—</b>There are authorized to be appropriated to carry out this section \$4,000,000 for fiscal year 1999 and each of the 4 succeeding fiscal years.</p>	<p><b>“(i) Authorization of Appropriations.--</b>There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2007 through 2012.</p>	<p><b>Such sums as necessary appropriations authorized for 2007-2012.</b></p>
<p><b>“SEC. 118. OCCUPATIONAL AND EMPLOYMENT INFORMATION.</b></p> <p><b>“(a) NATIONAL ACTIVITIES.—</b>From funds appropriated under subsection (f ), the Secretary, in consultation with appropriate Federal agencies, is authorized—</p>	<p><b>“SEC. 118. OCCUPATIONAL AND EMPLOYMENT INFORMATION.</b></p> <p><b>“(a) National Activities.--</b>From funds appropriated under subsection (g), the Secretary, in consultation with appropriate Federal agencies, is authorized--</p>	<p><b>No change.</b></p>
<p><b>“(1) to provide assistance to an entity to enable the entity—</b></p>	<p><b>“(1) to provide assistance to an</b></p>	<p><b>No change.</b></p>

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<p>“(A) to provide technical assistance to State entities designated under subsection (b) to enable the State entities to carry out the activities described in subsection (b);</p> <p>“(B) to disseminate information that promotes the replication of high quality practices described in subsection (b);</p> <p>“(C) to develop and disseminate products and services related to the activities described in subsection (b); and</p>	<p>entity to enable the entity--</p> <p>“(A) to provide technical assistance to State entities designated under subsection (c) to enable the State entities to carry out the activities described in such subsection;</p> <p>“(B) to disseminate information that promotes the replication of high quality practices described in subsection (c); and</p> <p>“(C) to develop and disseminate products and services related to the activities described in subsection (c); and</p>	
<p>“(2) to award grants to States that designate State entities in accordance with subsection (b) to enable the State entities to carry out the State level activities described in subsection (b).</p>	<p>“(2) to award grants to States that designate State entities in accordance with subsection (c) to enable the State entities to carry out the State level activities described in such subsection.</p>	<p><b>No change.</b></p>

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	<p>“(b) <i>State Application</i>.--</p> <p>“(1) <b>IN GENERAL</b>.--A jointly designated State entity described in subsection (c) that desires to receive a grant under this section shall submit an application to the Secretary at the same time the State submits its State plan under section 122, in such manner, and accompanied by such additional information, as the Secretary may reasonably require.</p>	<p><b>States can apply for a Section 118 grant at the same time that they submit their State plan. These funds are not directed to states by formula, so there is not a legislated manner to distribute the funds among states. The Secretary has broad discretion in determining how to distribute these funds among states.</b></p>
	<p>“(2) <b>CONTENTS</b>.--Each application submitted under paragraph (1) shall include a description of how the jointly designated State entity described in subsection (c) will provide information based on trends provided pursuant to section 15 of the Wagner-Peyser Act to inform program development.</p>	<p><b>Requires coordination between Perkins and WIA (which is where the Wagner Peyser authorization resides).</b></p>
<p>“(b) <b>STATE LEVEL ACTIVITIES</b>.—In order for a State to receive a grant under this section, the eligible agency and the Governor of the State shall jointly designate an entity in the State—</p>	<p>“(c) <i>State Level Activities</i>.--In order for a State to receive a grant under this section, the eligible agency and the Governor of the State shall jointly designate an entity in the State--</p>	<p><b>No change. The ACRN is jointly designated by the eligible agency and the Governor.</b></p>
<p>“(1) to provide support for a career guidance and academic counseling program designed to promote improved career and education decision making by individuals</p>	<p>“(1) to provide support for career guidance and academic counseling programs designed to promote improved career and education decision making by students (and</p>	<p><b>New language allows for counseling programs to serve parents, where appropriate.</b></p> <p><b>Counseling programs also are required to reflect the Act’s focus on high skill, high wage, or high demand occupations and non-</b></p>

<b>1998</b>	<b>2006</b>	<b>Differences/Comments</b>
(especially in areas of career information delivery and use);	parents, as appropriate) regarding education (including postsecondary education) and training options and preparations for high skill, high wage, or high demand occupations and non-traditional fields;	<b>traditional fields.</b>
“(2) to make available to students, parents, teachers, administrators, and counselors, and to improve accessibility with respect to, information and planning resources that relate educational preparation to career goals and expectations;	“(2) to make available to students, parents, teachers, administrators, faculty, and career guidance and academic counselors, and to improve accessibility with respect to, information and planning resources that relate academic and career and technical educational preparation to career goals and expectations;	<b>No substantive change.</b>
“(3) to equip teachers, administrators, and counselors with the knowledge and skills needed to assist students and parents with career exploration, educational opportunities, and education financing.	“(3) to provide academic and career and technical education teachers, faculty, administrators, and career guidance and academic counselors with the knowledge, skills, and occupational information needed to assist parents and students, especially special populations, with career exploration, educational opportunities, education financing, and exposure to high skill, high wage, or high demand occupations and non-traditional fields, including occupations and fields	<p><b>Emphasizes serving special populations and again calls attention to “exposure to high skill, high wage, or high demand occupations and non-traditional fields, including occupations and fields requiring a baccalaureate degree.”</b></p> <p><b>The inclusion of the focus on BA degrees is a new addition that was added to encourage counseling programs to share the full spectrum of career pathway options, including both two and four year postsecondary options.</b></p>

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	requiring a baccalaureate degree;	
“(4) to assist appropriate State entities in tailoring career-related educational resources and training for use by such entities;	“(4) to assist appropriate State entities in tailoring career related educational resources and training for use by such entities, including information on high skill, high wage, or high demand occupations in current or emerging professions and on career ladder information;	<b>Adds the emphasis on high skill, high wage, or high demand occupations in information that is being developed regarding career ladders or current or emerging professions.</b>
“(5) to improve coordination and communication among administrators and planners of programs authorized by this Act and by section 15 of the Wagner-Peyser Act at the Federal, State, and local levels to ensure nonduplication of efforts and the appropriate use of shared information and data; and	“(5) to improve coordination and communication among administrators and planners of programs authorized by this Act and by section 15 of the Wagner-Peyser Act at the Federal, State, and local levels to ensure nonduplication of efforts and the appropriate use of shared information and data;	<b>No change.</b>
“(6) to provide ongoing means for customers, such as students and parents, to provide comments and feedback on products and services and to update resources, as appropriate, to better meet customer requirements.	“(6) to provide ongoing means for customers, such as students and parents, to provide comments and feedback on products and services and to update resources, as appropriate, to better meet customer requirements; and	<b>No change.</b>
	“(7) to provide readily available occupational information such as--  “(A) information relative to	<b>A new provision requires the ACRN to make available information on labor market supply and demand, as well as employment sectors.</b>

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	<p>employment sectors;</p> <p>“(B) information on occupation supply and demand; and</p> <p>“(C) other information provided pursuant to section 15 of the Wagner-Peyser Act as the jointly designated State entity considers relevant.</p>	
<p><b>“(c) NONDUPLICATION.—</b></p> <p>“(1) WAGNER-PEYSER ACT.—The State entity designated under subsection (b) may use funds provided under subsection (b) to supplement activities under section 15 of the Wagner-Peyser Act to the extent such activities do not duplicate activities assisted under such section.</p> <p>“(2) PUBLIC LAW 105–220.—None of the functions and activities assisted under this section shall duplicate the functions and activities carried out under Public Law 105–220.</p>	<p>“(d) <i>Nonduplication.</i>--</p> <p>“(1) <b>WAGNER-PEYSER ACT.</b>--The jointly designated State entity described under subsection (c) may use funds provided under subsection (a)(2) to supplement activities under section 15 of the Wagner-Peyser Act to the extent such activities do not duplicate activities assisted under such section.</p> <p>“(2) <b>PUBLIC LAW 105-220.</b>—None of the functions and activities assisted under this section shall duplicate the functions and activities carried out under Public Law 105-220.</p>	<p><b>No change.</b></p>
<p><b>“(d) FUNDING RULE.—</b>Of the amounts appropriated to carry out this section, the Federal entity designated under subsection</p>	<p>“(e) <i>Funding Rule.</i>--Of the amounts appropriated to carry out this section, the Federal entity designated under subsection (a)</p>	<p><b>No change.</b></p>

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<p>(a) shall use—</p> <p>“(1) not less than 85 percent to carry out subsection (b); and</p> <p>“(2) not more than 15 percent to carry out subsection (a).</p>	<p>shall use--</p> <p>“(1) not less than 85 percent to carry out subsection (c); and</p> <p>“(2) not more than 15 percent to carry out subsection (a).</p>	
<p>“(e) <b>REPORT.</b>—The Secretary, in consultation with appropriate Federal agencies, shall prepare and submit to the appropriate committees of Congress, an annual report that includes—</p> <p>“(1) an identification of activities assisted under this section during the prior program year;</p> <p>“(2) a description of the specific products and services assisted under this section that were delivered in the prior program year; and</p> <p>“(3) an assessment of the extent to which States have effectively coordinated activities assisted under this section with activities authorized under section 15 of the Wagner-Peyser Act.</p>	<p>“(f) <i>Report.</i>--The Secretary, in consultation with appropriate Federal agencies, shall prepare and submit to the appropriate committees of Congress, an annual report that includes--</p> <p>“(1) a description of activities assisted under this section during the prior program year;</p> <p>“(2) a description of the specific products and services assisted under this section that were delivered in the prior program year; and</p> <p>“(3) an assessment of the extent to which States have effectively coordinated activities assisted under this section with activities authorized under section 15 of the Wagner-Peyser Act.</p>	<p><b>No change.</b></p>
<p>“(f ) <b>AUTHORIZATION OF APPROPRIATIONS.</b>—There are authorized to be appropriated to carry out this section such sums as</p>	<p>“(g) <i>Authorization of Appropriations.</i>--There are authorized to be appropriated to carry out this section such sums as</p>	<p><b>Section 118 is funded as such sums as necessary for 2007-2012.</b></p>



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may be necessary for each of the fiscal years 1999 through 2003.	may be necessary for each of the fiscal years 2007 through 2012.	
<b>“PART B—STATE PROVISIONS</b> <b>“SEC. 121. STATE ADMINISTRATION.</b> <b>“(a) ELIGIBLE AGENCY RESPONSIBILITIES.—</b> <b>“(1) IN GENERAL.—</b> The responsibilities of an eligible agency under this title shall include—	<b>``PART B--STATE PROVISIONS</b> <b>``SEC. 121. STATE ADMINISTRATION.</b> <b>``(a) Eligible Agency Responsibilities.--</b> The responsibilities of an eligible agency under this title shall include--	<b>No change.</b>
“(A) coordination of the development, submission, and implementation of the State plan, and the evaluation of the program, services, and activities assisted under this title, including preparation for nontraditional training and employment;	``(1) coordination of the development, submission, and implementation of the State plan, and the evaluation of the program, services, and activities assisted under this title, including preparation for non-traditional fields;	<b>No change.</b>
“(B) consultation with the Governor and appropriate agencies, groups, and individuals including parents, students, teachers, representatives of businesses, labor organizations, eligible recipients, State and local officials, and local program administrators, involved in the planning, administration, evaluation, and coordination of programs funded under this title;	``(2) consultation with the Governor and appropriate agencies, groups, and individuals including parents, students, teachers, teacher and faculty preparation programs, representatives of businesses (including small businesses), labor organizations, eligible recipients, State and local officials, and local program administrators, involved in the planning, administration, evaluation, and coordination of	<b>Adds small businesses, and teacher and faculty preparation programs as required stakeholders in the planning, administration, evaluation and coordination of the State plan.</b>



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administration, operation, supervision of activities assisted under this title, in whole or in part, to one or more appropriate State agencies.	administration, operation, or supervision of activities assisted under this title, in whole or in part, to 1 or more appropriate State agencies.	
<p><b>“SEC. 122. STATE PLAN.</b></p> <p><b>“(a) STATE PLAN.—</b></p> <p><b>“(1) IN GENERAL.—</b>Each eligible agency desiring assistance under this title for any fiscal year shall prepare and submit to the Secretary a State plan for a 5-year period, together with such annual revisions as the eligible agency determines to be necessary.</p>	<p><b>“SEC. 122. STATE PLAN.</b></p> <p><b>“(a) State Plan.--</b></p> <p><b>“(1) IN GENERAL.--</b>Each eligible agency desiring assistance under this title for any fiscal year shall prepare and submit to the Secretary a State plan for a 6-year period, together with such annual revisions as the eligible agency determines to be necessary, except that, during the period described in section 4, each eligible agency may submit a transition plan that shall fulfill the eligible agency's obligation to submit a State plan under this section for the first fiscal year following the date of enactment of the Carl D. Perkins Career and Technical Education Improvement Act of 2006.</p>	<p><b>The eligible agency can submit either a one year transition plan and then a five year plan or a six year plan.</b></p>
<p><b>“(2) REVISIONS.—</b>Each eligible agency—</p> <p><b>“(A) may submit such annual revisions of the State plan to the Secretary as the eligible agency determines to be necessary; and</b></p>	<p><b>“(2) REVISIONS.--</b>Each eligible agency-</p> <p><b>“(A) may submit such annual revisions of the State plan to the Secretary as the eligible agency</b></p>	<p><b>No change.</b></p> <p><b>The eligible agency may annually submit revisions to the state plan.</b></p>

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<p>“(B) shall, after the second year of the 5 year State plan, conduct a review of activities assisted under this title and submit any revisions of the State plan that the eligible agency determines necessary to the Secretary.</p>	<p>determines to be necessary; and</p> <p>“(B) shall, after the second year of the 6-year period, conduct a review of activities assisted under this title and submit any revisions of the State plan that the eligible agency determines necessary to the Secretary.</p>	
<p><b>“(3) HEARING PROCESS.—</b> The eligible agency shall conduct public hearings in the State, after appropriate and sufficient notice, for the purpose of affording all segments of the public and interested organizations and groups (including employers, labor organizations, and parents), an opportunity to present their views and make recommendations regarding the State plan. A summary of such recommendations and the eligible agency’s response to such recommendations shall be included in the State plan.</p>	<p>“(3) <b>HEARING PROCESS.--</b> The eligible agency shall conduct public hearings in the State, after appropriate and sufficient notice, for the purpose of affording all segments of the public and interested organizations and groups (including charter school authorizers and organizers consistent with State law, employers, labor organizations, parents, students, and community organizations), an opportunity to present their views and make recommendations regarding the State plan. A summary of such recommendations and the eligible agency's response to such recommendations shall be included in the State plan.</p>	<p><b>Charter school authorizers and organizers and community organizations have been added the stakeholder communities that should be afforded the opportunity to participate in hearings related to the state plan.</b></p>
<p><b>“(b) PLAN DEVELOPMENT.—</b></p> <p><b>“(1) IN GENERAL.—</b>The eligible agency shall develop the State plan in consultation with</p>	<p>“(b) <i>Plan Development.--</i></p> <p>“(1) <b>IN GENERAL.--</b>The eligible agency shall--</p>	

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<p>teachers, eligible recipients, parents, students, interested community members, representatives of special populations, representatives of business and industry, and representatives of labor organizations in the State, and shall consult the Governor of the State with respect to such development.</p>	<p>“(A) develop the State plan in consultation with--</p> <p>“(i) academic and career and technical education teachers, faculty, and administrators;</p> <p>“(ii) career guidance and academic counselors;</p> <p>“(iii) eligible recipients;</p> <p>“(iv) charter school authorizers and organizers consistent with State law;</p> <p>“(v) parents and students;</p> <p>“(vi) institutions of higher education;</p> <p>“(vii) the State tech prep coordinator and representatives of tech prep consortia (if applicable);</p> <p>“(viii) entities participating in activities described in section 111 of Public Law 105-220;</p> <p>“(ix) interested community members (including parent and community organizations);</p> <p>“(x) representatives of special</p>	<p><b>Adds quite a few stakeholders to the state plan consultation process: guidance counselors, faculty and administrators, charter school authorizers, institutions of higher education, State Tech-Prep coordinators (if applicable), entities participating in state workforce development boards, interested community members, and representatives from special populations.</b></p>

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	<p>populations;</p> <p>“(xi) representatives of business and industry (including representatives of small business); and</p> <p>“(xii) representatives of labor organizations in the State; and</p> <p>“(B) consult the Governor of the State with respect to such development.</p>	
<p><b>“(2) ACTIVITIES AND PROCEDURES.—</b>The eligible agency shall develop effective activities and procedures, including access to information needed to use such procedures, to allow the individuals described in paragraph (1) to participate in State and local decisions that relate to development of the State plan.</p>	<p>“(2) <b>ACTIVITIES AND PROCEDURES.--</b>The eligible agency shall develop effective activities and procedures, including access to information needed to use such procedures, to allow the individuals and entities described in paragraph (1) to participate in State and local decisions that relate to development of the State plan.</p>	<p><b>No change.</b></p>
<p><b>“(c) PLAN CONTENTS.—</b>The State plan shall include information that—</p> <p>“(1) describes the vocational and technical education activities to be assisted that are designed to meet or exceed the State adjusted levels</p>	<p>“(c) <i>Plan Contents.--</i>The State plan shall include information that--</p> <p>“(1) describes the career and technical education activities to be assisted that are designed to meet or exceed the State adjusted levels</p>	

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of performance, including a description of—	of performance, including a description of-	
	<p>“(A) the career and technical programs of study, which may be adopted by local educational agencies and postsecondary institutions to be offered as an option to students (and their parents as appropriate) when planning for and completing future coursework, for career and technical content areas that—</p> <p>“(i) incorporate secondary education and postsecondary education elements;</p> <p>“(ii) include coherent and rigorous content aligned with challenging academic standards and relevant career and technical content in a coordinated, nonduplicative progression of courses that align secondary education with postsecondary education to adequately prepare students to succeed in postsecondary education;</p> <p>“(iii) may include the opportunity for secondary education students to participate in dual or concurrent enrollment programs or other ways to acquire postsecondary</p>	<p><b>Programs of study, which can be career clusters or career pathways, are a cornerstone of this Act. . Programs of study are in many ways the new CTE, as the elements of the programs of study align with the purpose and spirit of the Act – broader, durable instruction that prepares individuals with the academic and technical content to succeed in high skill, high wage or high demand professions in today’s and tomorrow’s global economy.</b></p> <p><b>The programs of study can be:</b></p> <ul style="list-style-type: none"> <li>• <b>Developed by the eligible agency and use by the eligible recipients.</b></li> <li>• <b>Developed by the eligible recipients and approved by the eligible agency.</b></li> <li>• <b>Or both.</b></li> </ul> <p><b>If programs of study are developed by eligible recipients and approved by the eligible agency, there is an expectation of nonduplication of effort (see requirement on dissemination of information on the programs of study).</b></p>

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	education credits; and  “(iv) lead to an industry-recognized credential or certificate at the postsecondary level, or an associate or baccalaureate degree;	
	“(B) how the eligible agency, in consultation with eligible recipients, will develop and implement the career and technical programs of study described in subparagraph (A);	<b>Plan must describe how the eligible agency will develop and implement CTE programs of study. The eligible agency has the option of developing the programs of study or creating a process for approving locally developed programs of study or both.</b>
	“(C) how the eligible agency will support eligible recipients in developing and implementing articulation agreements between secondary education and postsecondary education institutions;	<b>Plan must describe how the eligible agency will assist in implementing articulation agreements between secondary and postsecondary institutions. This is a new role for the eligible agency and is intended to encourage the examination and elimination of policy barriers impacting transition among the learner levels or the portability of credit.</b>
	“(D) how the eligible agency will make available information about career and technical programs of study offered by eligible recipients;	<b>Plan must describe how information about CTE programs of study will be disseminated. The goal is to promote sharing of programs of study and ensure that eligible recipients are not duplicating the development of programs of study.</b>
“(A) the secondary and postsecondary vocational and technical education programs to be carried out, including programs that will be carried out by the eligible agency to develop, improve, and expand access to quality, state-of-the-art technology in vocational and technical education programs;	“(E) the secondary and postsecondary career and technical education programs to be carried out, including programs that will be carried out by the eligible agency to develop, improve, and expand access to appropriate technology in career and technical education programs;	<b>No substantive change.</b>



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<p>“(B) the criteria that will be used by the eligible agency in approving applications by eligible recipients for funds under this title;</p>	<p>“(F) the criteria that will be used by the eligible agency to approve eligible recipients for funds under this Act, including criteria to assess the extent to which the local plan will--</p> <p>“(i) promote continuous improvement in academic achievement;</p> <p>“(ii) promote continuous improvement of technical skill attainment; and</p> <p>“(iii) identify and address current or emerging occupational opportunities;</p>	<p><b>This is the language that requires the eligible agency to define how the local applications will be approved. The states have great latitude in defining what is required in the local application. Section 134 is a minimum.</b></p> <p><b>However, the approval process of local plans must take into consideration how the eligible recipient is continually improving academic and technical instruction and responding to the labor market. These requirements are likely to require a linkage between the accountability data submitted by eligible recipients and the uses of funds the eligible recipient will focus on in its Perkins application.</b></p>
	<p>“(G) how programs at the secondary level will prepare career and technical education students, including special populations, to graduate from secondary school with a diploma;</p>	<p><b>Plan must now describe how secondary programs prepare CTE students (including special populations) to graduate with a diploma.</b></p>
<p>“(C) how such programs will prepare vocational and technical education students for opportunities in postsecondary education or entry into high skill, high wage jobs in current and emerging occupations; and</p>	<p>“(H) how such programs will prepare career and technical education students, including special populations, academically and technically for opportunities in postsecondary education or entry into high skill, high wage, or high demand occupations in current or emerging occupations, and how participating students</p>	<p><b>Refines and expands this provision by adding language that ensures that CTE programs will prepare students (including a special focus on special pops) with both the academic and technical skills for postsecondary and employment. Also requires attention to be paid to how CTE programs will prepare students not just for employment but employment in “high skill, high wage, or high demand occupations.” Finally, requires the eligible agency to discuss how it will ensure that students have access to good career information.</b></p>

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	will be made aware of such opportunities;	
“(D) how funds will be used to improve or develop new vocational and technical education courses;	<p>“(I) how funds will be used to improve or develop new career and technical education courses--</p> <p>“(i) at the secondary level that are aligned with rigorous and challenging academic content standards and student academic achievement standards adopted by the State under section 1111 (b)(1) of the Elementary and Secondary Education Act of 1965;</p> <p>“(ii) at the postsecondary level that are relevant and challenging; and</p> <p>“(iii) that lead to employment in high skill, high wage, or high demand occupations;</p>	<p><b>CTE courses supported by Perkins must be aligned with rigorous and challenging academic content standards and student achievement standards at the secondary level (as defined in NCLB).</b></p> <p><b>At the postsecondary level, the coursework must be relevant and challenging.</b></p> <p><b>At both the secondary and postsecondary levels, the CTE programs must lead to employment in high skill, high wage, or high demand occupations.</b></p>
	“(J) how the eligible agency will facilitate and coordinate communication on best practices among successful recipients of tech prep program grants under title II and eligible recipients to improve program quality and student achievement;	<b>Eligible agencies must describe how they will disseminate best practices information among Tech Prep program grantees and eligible recipients. This provision is one of many that promotes coordination and collaboration between Titles I and II.</b>
“(19) describes how funds will be used effectively to link secondary and postsecondary education;	“(K) how funds will be used effectively to link academic and career and technical education at the secondary level and at the	<b>The new language calls attention to linkages between secondary and postsecondary related to both academic and CTE content.</b>

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	postsecondary level in a manner that increases student academic and career and technical achievement; and	
	“(L) how the eligible agency will report on the integration of coherent and rigorous content aligned with challenging academic standards in career and technical education programs in order to adequately evaluate the extent of such integration;	<b>While integration has been a part of Perkins for many years, we have little documentation to show how pervasive or effective it is. This is a new requirement intended for the eligible agency to capture how much integration is really happening in the state and to determine the effectiveness of this instruction.</b>
“(2) describes how comprehensive professional development (including initial teacher preparation) for vocational and technical, academic, guidance, and administrative personnel will be provided;	<p>“(2) describes how comprehensive professional development (including initial teacher preparation and activities that support recruitment) for career and technical education teachers, faculty, administrators, and career guidance and academic counselors will be provided, especially professional development that--</p> <p>“(A) promotes the integration of coherent and rigorous academic content standards and career and technical education curricula, including through opportunities for the appropriate academic and career and technical education teachers to jointly develop and implement curricula and pedagogical strategies, as</p>	<p><b>This revised language further defines which areas of professional development should be a priority (integration, applied learning, working with special pops and using data) and that the professional development should result in greater percentages of certified or licensed teachers.</b></p> <p><b>Further how professional development is delivered is aligned with the NCLB professional development requirements, including ensuring that it is high quality, sustained, and focused on instruction.</b></p>

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	<p>appropriate;</p> <p>“(B) increases the percentage of teachers that meet teacher certification or licensing requirements;</p> <p>“(C) is high quality, sustained, intensive, and focused on instruction, and increases the academic knowledge and understanding of industry standards, as appropriate, of career and technical education teachers;</p> <p>“(D) encourages applied learning that contributes to the academic and career and technical knowledge of the student;</p> <p>“(E) provides the knowledge and skills needed to work with and improve instruction for special populations;</p> <p>“(F) assists in accessing and utilizing data, including data provided under section 118, student achievement data, and data from assessments; and</p> <p>“(G) promotes integration with professional development activities that the State carries out</p>	

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	under title II of the Elementary and Secondary Education Act of 1965 and title II of the Higher Education Act of 1965;	
	<p>“(3) describes efforts to improve--</p> <p>“(A) the recruitment and retention of career and technical education teachers, faculty, and career guidance and academic counselors, including individuals in groups underrepresented in the teaching profession; and</p> <p>“(B) the transition to teaching from business and industry, including small business;</p>	<b>This new state plan requirement calls attention to teacher and faculty recruitment and retention issues.</b>
	“(4) describes efforts to facilitate the transition of sub baccalaureate career and technical education students into baccalaureate degree programs at institutions of higher education;	<b>This new provision requires the state plan to discuss how the eligible agency will help facilitate student transition between 2 year and 4 year postsecondary programs.</b>
“(3) describes how the eligible agency will actively involve parents, teachers, local businesses (including small- and medium-sized businesses), and labor organizations in the planning, development, implementation, and evaluation of such vocational and technical education programs;	“(5) describes how the eligible agency will actively involve parents, academic and career and technical education teachers, administrators, faculty, career guidance and academic counselors, local business (including small businesses), and labor organizations in the planning, development, implementation, and evaluation of	<b>No substantive change beyond expanding the group of stakeholders who should be involved in the development, implementation and evaluation of programs to specifically include both academic and CTE teachers and faculty and career guidance and academic counselors.</b>

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	such career and technical education programs;	
“(7) describes the eligible agency’s program strategies for special populations		<b>Strategies for serving special populations are incorporated more fully throughout the other state plan provisions.</b>
<p>“(4) describes how funds received by the eligible agency through the allotment made under section 111 will be allocated—</p> <p>“(A) among secondary school vocational and technical education, or postsecondary and adult vocational and technical education, or both, including the rationale for such allocation; and</p> <p>“(B) among any consortia that will be formed among secondary schools and eligible institutions, and how funds will be allocated among the members of the consortia, including the rationale for such allocation;</p>	<p>“(6) describes how funds received by the eligible agency through the allotment made under section 111 will be allocated--</p> <p>“(A) among career and technical education at the secondary level, or career and technical education at the postsecondary and adult level, or both, including the rationale for such allocation; and</p> <p>“(B) among any consortia that will be formed among secondary schools and eligible institutions, and how funds will be allocated among the members of the consortia, including the rationale for such allocation;</p>	<p><b>No change.</b></p> <p><b>This provision requires the eligible agency to describe the split of funds between secondary, postsecondary and adult CTE and to provide the rationale for this split of funds.</b></p>
<p>“(5) describes how the eligible agency will—</p> <p>“(A) improve the academic and technical skills of students participating in vocational and technical education programs, including strengthening the academic, and vocational and</p>	<p>“(7) describes how the eligible agency will--</p> <p>“(A) improve the academic and technical skills of students participating in career and technical education programs, including strengthening the academic and career and technical</p>	<p><b>Retains a focus on improving CTE programs and integrated instruction.</b></p>

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<p>technical, components of vocational and technical education programs through the integration of academics with vocational and technical education to ensure learning in the core academic, and vocational and technical, subjects, and provide students with strong experience in, and understanding of, all aspects of an industry; and</p> <p>“(B) ensure that students who participate in such vocational and technical education programs are taught to the same challenging academic proficiencies as are taught to all other students;</p>	<p>components of career and technical education programs through the integration of academics with career and technical education to ensure learning in--</p> <p>“(i) the core academic subjects (as defined in section 9101 of the Elementary and Secondary Education Act of 1965); and</p> <p>“(ii) career and technical education subjects;</p> <p>“(B) provide students with strong experience in, and understanding of, all aspects of an industry; and</p> <p>“(C) ensure that students who participate in such career and technical education programs are taught to the same challenging academic proficiencies as are taught to all other students;</p>	<p><b>Defines core academic subjects as those defined in NCLB.</b></p>
<p>“(6) describes how the eligible agency will annually evaluate the effectiveness of such vocational and technical education programs, and describe, to the extent practicable, how the eligible agency is coordinating such programs to ensure nonduplication</p>	<p>“(8) describes how the eligible agency will annually evaluate the effectiveness of such career and technical education programs, and describe, to the extent practicable, how the eligible agency is coordinating such programs to ensure nonduplication with other</p>	<p><b>No change.</b></p> <p><b>This language requires eligible agencies to describe the process it will use to monitor eligible recipients and determine the effectiveness of the CTE programs being supported under this Act. Part of this monitoring must ensure nonduplication of Federal programs.</b></p>

1998	2006	Differences/Comments
with other existing Federal programs;	Federal programs;	
<p>“(8) describes how individuals who are members of the special populations—</p> <p>“(A) will be provided with equal access to activities assisted under this title;</p> <p>“(B) will not be discriminated against on the basis of their status as members of the special populations; and</p> <p>“(C) will be provided with programs designed to enable the special populations to meet or exceed State adjusted levels of performance, and prepare special populations for further learning and for high skill, high wage careers;</p>	<p>“(9) describes the eligible agency's program strategies for special populations, including a description of how individuals who are members of the special populations--</p> <p>“(A) will be provided with equal access to activities assisted under this Act;</p> <p>“(B) will not be discriminated against on the basis of their status as members of the special populations; and</p> <p>“(C) will be provided with programs designed to enable the special populations to meet or exceed State adjusted levels of performance, and prepare special populations for further learning and for high skill, high wage, or high demand occupations;</p>	<p><b>Essentially the same as Perkins III except the last clause has the focus on preparation for high demand occupations added.</b></p>
<p>“(9) describe what steps the eligible agency shall take to involve representatives of eligible recipients in the development of the State adjusted levels of performance;</p>	<p>“(10) describes--</p> <p>“(A) the eligible agency's efforts to ensure that eligible recipients are given the opportunity to provide input in determining the State adjusted levels of performance described in</p>	<p><b>The State Plan must describe the way eligible recipients will participate in establishing the state adjusted levels of performance as well as describe the process the eligible agency will use to negotiate local adjusted levels of performance.</b></p>



1998	2006	Differences/Comments
	<p>section 113; and</p> <p>“(B) how the eligible agency, in consultation with eligible recipients, will develop a process for the negotiation of local adjusted levels of performance under section 113(b)(4) if an eligible recipient does not accept the State adjusted levels of performance under section 113(b)(3);</p>	
<p>“(10) provides assurances that the eligible agency will comply with the requirements of this title and the provisions of the State plan, including the provision of a financial audit of funds received under this title which may be included as part of an audit of other Federal or State programs;</p>	<p>“(11) provides assurances that the eligible agency will comply with the requirements of this Act and the provisions of the State plan, including the provision of a financial audit of funds received under this Act which may be included as part of an audit of other Federal or State programs;</p>	<p><b>No change.</b></p>
<p>“(11) provides assurances that none of the funds expended under this title will be used to acquire equipment (including computer software) in any instance in which such acquisition results in a direct financial benefit to any organization representing the interests of the purchasing entity, the employees of the purchasing entity, or any affiliate of such an organization;</p>	<p>“(12) provides assurances that none of the funds expended under this Act will be used to acquire equipment (including computer software) in any instance in which such acquisition results in a direct financial benefit to any organization representing the interests of the acquiring entity or the employees of the acquiring entity, or any affiliate of such an organization;</p>	<p><b>No change.</b></p>
<p>“(12) describes how the eligible</p>	<p>“(13) describes how the eligible</p>	<p><b>No change.</b></p>

1998	2006	Differences/Comments
<p>agency will report data relating to students participating in vocational and technical education in order to adequately measure the progress of the students, including special populations;</p> <p>“(20) describes how the eligible agency will ensure that the data reported to the eligible agency from local educational agencies and eligible institutions under this title and the data the eligible agency reports to the Secretary are complete, accurate, and reliable; and</p>	<p>agency will report data relating to students participating in career and technical education in order to adequately measure the progress of the students, including special populations, and how the eligible agency will ensure that the data reported to the eligible agency from local educational agencies and eligible institutions under this title and the data the eligible agency reports to the Secretary are complete, accurate, and reliable;</p>	
<p>“(13) describes how the eligible agency will adequately address the needs of students in alternative education programs, if appropriate;</p>	<p>“(14) describes how the eligible agency will adequately address the needs of students in alternative education programs, if appropriate;</p>	<p><b>No change.</b></p>
<p>“(14) describes how the eligible agency will provide local educational agencies, area vocational and technical education schools, and eligible institutions in the State with technical assistance;</p>	<p>“(15) describes how the eligible agency will provide local educational agencies, area career and technical education schools, and eligible institutions in the State with technical assistance;</p>	<p><b>No change.</b></p> <p><b>This provision becomes more critical as eligible agencies begin to align accountability data with uses of funds.</b></p>
<p>“(15) describes how vocational and technical education relates to State and regional occupational opportunities;</p>	<p>“(16) describes how career and technical education relates to State and regional occupational opportunities;</p>	<p><b>No change.</b></p> <p><b>This requires eligible agencies to impose a condition of how the programs supported by this Act support the regional economy and help close the skills gap.</b></p>
<p>“(16) describes the methods proposed for the joint planning and coordination of programs carried</p>	<p>“(17) describes the methods proposed for the joint planning and coordination of programs</p>	<p><b>No change.</b></p>

1998	2006	Differences/Comments
out under this title with other Federal education programs;	carried out under this title with other Federal education programs;	
“(17) describes how funds will be used to promote preparation for nontraditional training and employment;	“(18) describes how funds will be used to promote preparation for high skill, high wage, or high demand occupations and non-traditional fields;	<b>Adds the focus on preparation for “high skill, high wage, or high demand occupations.”</b>
“(18) describes how funds will be used to serve individuals in State correctional institutions;	“(19) describes how funds will be used to serve individuals in State correctional institutions; and	<b>No change.</b>
“(21) contains the description and information specified in sections 112(b)(8) and 121(c) of Public Law 105–220 concerning the provision of services only for postsecondary students and school dropouts.	“(20) contains the description and information specified in sections 112(b)(8) and 121(c) of Public Law 105-220 concerning the provision of services only for postsecondary students and school dropouts.	<b>No change.</b>  <b>Public Law 105-220 is the Workforce Investment Act.</b>
	(d) <b>PLAN OPTIONS.</b> --  (1) <b>SINGLE PLAN.</b> --An eligible agency not choosing to consolidate funds under section 202 shall fulfill the plan or application submission requirements of this section, and section 201(c), by submitting a single State plan. In such plan, the eligible agency may allow recipients to fulfill the plan or application submission requirements of section 134 and subsections (a) and (b) of section 204 by submitting a single local plan.	<b>Eligible agencies that choose not to merge the funding streams for title I and title II are <u>required</u> to submit a single state plan that fulfills the planning requirements in both title I and title II. This same requirement may apply at the local level.</b>

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<p><b>“(d) PLAN OPTION.</b>—The eligible agency may fulfill the requirements of subsection (a) by submitting a plan under section 501 of Public Law 105–220.</p>	<p><b>(2) PLAN SUBMITTED AS PART OF 501 PLAN.</b>--The eligible agency may submit the plan required under this section as part of the plan submitted under section 501 of Public Law 105-220, if the plan submitted pursuant to the requirement of this section meets the requirements of this Act.</p>	<p><b>No change.</b></p> <p><b>States are still allowed to fulfill the requirements this Act’s state planning requirements by submitting a unified plan under the Workforce Investment Act.</b></p>
<p><b>“(e) PLAN APPROVAL.</b>—</p> <p><b>“(1) IN GENERAL.</b>—The Secretary shall approve a State plan, or a revision to an approved State plan, unless the Secretary determines that—</p> <p>“(A) the State plan, or revision, respectively, does not meet the requirements of this section; or</p> <p>“(B) the State’s levels of performance on the core indicators of performance consistent with section 113 are not sufficiently rigorous to meet the purpose of this Act.</p>	<p><b>(e) PLAN APPROVAL.</b>--</p> <p><b>(1) IN GENERAL.</b>--The Secretary shall approve a State plan, or a revision to an approved State plan, unless the Secretary determines that--</p> <p>(A) the State plan, or revision, respectively, does not meet the requirements of this Act; or</p> <p>(B) the State's levels of performance on the core indicators of performance consistent with section 113 are not sufficiently rigorous to meet the purpose of this Act.</p>	<p><b>No change.</b></p>
<p><b>“(2) DISAPPROVAL.</b>—The Secretary shall not finally disapprove a State plan, except after giving the eligible agency notice and an opportunity for a hearing.</p>	<p><b>(2) <i>Disapproval.</i></b>--The Secretary shall not finally disapprove a State plan, except after giving the eligible agency notice and an opportunity for a hearing.</p>	<p><b>No change.</b></p>

1998	2006	Differences/Comments
<p><b>“(3) CONSULTATION.</b>—The eligible agency shall develop the portion of each State plan relating to the amount and uses of any funds proposed to be reserved for adult vocational and technical education, postsecondary vocational and technical education, tech-prep education, and secondary vocational and technical education after consultation with the State agency responsible for supervision of community colleges, technical institutes, or other 2-year postsecondary institutions primarily engaged in providing postsecondary vocational and technical education, and the State agency responsible for secondary education. If a State agency finds that a portion of the final State plan is objectionable, the State agency shall file such objections with the eligible agency. The eligible agency shall respond to any objections of the State agency in the State plan submitted to the Secretary.</p>	<p><b>(3) Consultation.</b>--The eligible agency shall develop the portion of each State plan relating to the amount and uses of any funds proposed to be reserved for adult career and technical education, postsecondary career and technical education, tech prep education, and secondary career and technical education after consultation with the State agency responsible for supervision of community colleges, technical institutes, or other 2-year postsecondary institutions primarily engaged in providing postsecondary career and technical education, and the State agency responsible for secondary education. If a State agency finds that a portion of the final State plan is objectionable, the State agency shall file such objections with the eligible agency. The eligible agency shall respond to any objections of the State agency in the State plan submitted to the Secretary.</p>	<p><b>No change.</b></p> <p><b>This language requires the eligible agency to establish a process for stakeholders to submit objections to the state plan. The eligible agency must respond to any objections when it submits its state plan to the Secretary.</b></p>
<p><b>“(4) TIMEFRAME.</b>—A State plan shall be deemed approved by the Secretary if the Secretary has not responded to the eligible agency regarding the State plan within 90 days of the date the Secretary receives the State plan.</p>	<p><b>(4) Timeframe.</b>--A State plan shall be deemed approved by the Secretary if the Secretary has not responded to the eligible agency regarding the State plan within 90 days of the date the Secretary receives the State plan.</p>	<p><b>No change.</b></p>

1998	2006	Differences/Comments
<p><b>“(f ) TRANSITION.</b>—This section shall be subject to section 4 for fiscal year 1999 only, with respect to activities under this section.</p>		<p><b>This section was replaced by transition language in section 4.</b></p>
<p><b>“SEC. 123. IMPROVEMENT PLANS.</b></p> <p><b>“(a) STATE PROGRAM IMPROVEMENT PLAN.</b>—If a State fails to meet the State adjusted levels of performance described in the report submitted under section 113(c), the eligible agency shall develop and implement a program improvement plan in consultation with appropriate agencies, individuals, and organizations for the first program year succeeding the program year in which the eligible agency failed to meet the State adjusted levels of performance, in order to avoid a sanction under subsection (d).</p>	<p><b>“SEC. 123. IMPROVEMENT PLANS.</b></p> <p><i>“(a) State Program Improvement.--</i></p> <p><i>“(1) PLAN.--If a State fails to meet at least 90 percent of an agreed upon State adjusted level of performance for any of the core indicators of performance described in section 113(b)(3), the eligible agency shall develop and implement a program improvement plan (with special consideration to performance gaps identified under section 113(c)(2)) in consultation with the appropriate agencies, individuals, and organizations during the first program year succeeding the program year for which the eligible agency failed to so meet the State adjusted level of performance for any of the core indicators of performance.</i></p>	<p><b>While improvement plans were required under Perkins III, Perkins IV provides more specificity as to what triggers an improvement plan.</b></p> <p><b>If a state fails to meet 90% of an agreed upon adjusted level of performance for any single core indicator of performance, it must submit an improvement plan that accounts and addresses any achievement gaps.</b></p> <p><b>The implementation of the improvement plan will occur the first year after the eligible agency fails to meet 90% of any a single performance target.</b></p>
	<p><b>“(2) TECHNICAL ASSISTANCE.</b>—If the Secretary determines that an eligible agency</p>	<p><b>If the Secretary determines the eligible agency is not making progress toward achieving its performance levels, the Secretary will work with the eligible agency to implement improvement activities.</b></p>

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	<p>is not properly implementing the eligible agency's responsibilities under section 122, or is not making substantial progress in meeting the purposes of this Act, based on the State's adjusted levels of performance, the Secretary shall work with the eligible agency to implement the improvement activities consistent with the requirements of this Act.</p>	
	<p><b>“(3) SUBSEQUENT ACTION.--</b></p> <p>    <b>“(A) IN GENERAL.--</b>The Secretary may, after notice and opportunity for a hearing, withhold from an eligible agency all, or a portion, of the eligible agency's allotment under paragraphs (2) and (3) of section 112(a) if the eligible agency--</p> <p>    “(i) fails to implement an improvement plan as described in paragraph (1);</p> <p>    “(ii) fails to make any improvement in meeting any of the State adjusted levels of performance for the core indicators of performance identified under paragraph (1) within the first program year of implementation of its improvement plan described in</p>	<p><b>An eligible agency will be eligible for sanctions if:</b></p> <ul style="list-style-type: none"> <li>• <b>It fails to implement an improvement plan;</b></li> <li>• <b>Fails to make any improvement within the first program year of implementation of its improvement plan; or</b></li> <li>• <b>Doesn’t meet 90% of adjusted performance levels for the same performance indicator for three consecutive years.</b></li> </ul> <p><b>If an eligible agency is sanctioned, the sanction will come out of the state leadership/state administration funds.</b></p>

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	<p>paragraph (1); or</p> <p>“(iii) fails to meet at least 90 percent of an agreed upon State adjusted level of performance for the same core indicator of performance for 3 consecutive years.</p>	
	<p>“(B) <b>WAIVER FOR EXCEPTIONAL CIRCUMSTANCES.</b>--The Secretary may waive the sanction in subparagraph (A) due to exceptional or uncontrollable circumstances, such as a natural disaster or a precipitous and unforeseen decline in the financial resources of the State.</p>	<p><b>If an eligible agency qualifies for a sanction, the Secretary of Education may waive requirements for extenuating circumstances.</b></p>
<p><b>“(3) FUNDS RESULTING FROM REDUCED ALLOTMENTS.—</b>  <b>“(A) IN GENERAL.—</b>The Secretary shall use funds withheld under paragraph (2), for a State served by an eligible agency, to provide (through alternative arrangements) services and activities within the State to meet the purpose of this Act.</p>	<p>“(4) <b>FUNDS RESULTING FROM REDUCED ALLOTMENTS.</b>--The Secretary shall use funds withheld under paragraph (3) for a State served by an eligible agency to provide technical assistance, to assist in the development of an improved State improvement plan, or for other improvement activities consistent with the requirements of this Act for such State.</p>	<p><b>If an eligible agency is sanctioned, the funds withheld by the Secretary shall be used to serve that state.</b></p>
<p><b>“(b) LOCAL EVALUATION.—</b>Each eligible agency shall evaluate annually, using the State adjusted levels of performance, the</p>	<p>“(b) <i>Local Program Improvement.</i>--  “(1) <b>LOCAL</b></p>	<p><b>This section is expanded to more fully articulate the local program improvement/sanction provisions. These provisions mirror that of the eligible agency improvement plan/sanction language.</b></p>



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<p>vocational and technical education activities of each eligible recipient receiving funds under this title.</p>	<p><b>EVALUATION.</b>--Each eligible agency shall evaluate annually, using the local adjusted levels of performance described in section 113(b)(4), the career and technical education activities of each eligible recipient receiving funds under this title.</p>	
<p><b>“(c) LOCAL IMPROVEMENT PLAN.—</b>  <b>“(1) IN GENERAL.—</b>If, after reviewing the evaluation, the eligible agency determines that an eligible recipient is not making substantial progress in achieving the State adjusted levels of performance, the eligible agency shall—  “(A) conduct an assessment of the educational needs that the eligible recipient shall address to overcome local performance deficiencies;  “(B) enter into an improvement plan based on the results of the assessment, which plan shall include instructional and other programmatic innovations of demonstrated effectiveness, and where necessary, strategies for appropriate staffing and staff development; and  “(C) conduct regular evaluations of the progress being made toward reaching the State adjusted levels of performance.</p>	<p>“(2) <b>PLAN.</b>--If, after reviewing the evaluation in paragraph (1), the eligible agency determines that an eligible recipient failed to meet at least 90 percent of an agreed upon local adjusted level of performance for any of the core indicators of performance described in section 113(b)(4), the eligible recipient shall develop and implement a program improvement plan (with special consideration to performance gaps identified under section 113(b)(4)(C)(ii)(II)) in consultation with the eligible agency, appropriate agencies, individuals, and organizations during the first program year succeeding the program year for which the eligible recipient failed to so meet any of the local adjusted levels of performance for any of the core indicators of performance.</p>	<p><b>Local improvement plans mirror state improvement plans. The first year an eligible recipient fails to meet at least 90% of any single performance target, an improvement plan must be put in place.</b></p>

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<p><b>“(2) CONSULTATION.</b>—The eligible agency shall conduct the activities described in paragraph (1) in consultation with teachers, parents, other school staff, appropriate agencies, and other appropriate individuals and organizations.</p>		<p>Language merged into the section above.</p>
<p><b>“(d) SANCTIONS.—</b>  <b>“(1) TECHNICAL ASSISTANCE.</b>—If the Secretary determines that an eligible agency is not properly implementing the eligible agency’s responsibilities under section 122, or is not making substantial progress in meeting the purpose of this Act, based on the State adjusted levels of performance, the Secretary shall work with the eligible agency to implement improvement activities consistent with the requirements of this Act.</p>	<p><b>“(3) TECHNICAL ASSISTANCE.</b>--If the eligible agency determines that an eligible recipient is not properly implementing the eligible recipient's responsibilities under section 134, or is not making substantial progress in meeting the purposes of this Act, based on the local adjusted levels of performance, the eligible agency shall work with the eligible recipient to implement improvement activities consistent with the requirements of this Act.</p>	<p>No substantive change.</p> <p><b>The eligible agency must work with and provide technical assistance to eligible recipients that are not making progress in meeting the purpose of the Act, which is determined by performance in meeting local adjusted levels of performance, or are not implementing their responsibilities as defined in section 134.</b></p>
<p><b>“(2) FAILURE.</b>—If an eligible agency fails to meet the State adjusted levels of performance, has not implemented an improvement plan as described in paragraph (1), has shown no improvement within 1 year after implementing an improvement plan as described in paragraph (1), or has failed to meet the State adjusted levels of performance for 2 or more consecutive years, the Secretary</p>	<p><b>“(4) SUBSEQUENT ACTION.</b>--</p> <p><b>“(A) IN GENERAL.</b>--The eligible agency may, after notice and opportunity for a hearing, withhold from the eligible recipient all, or a portion, of the eligible recipient's allotment under this title if the eligible recipient--</p> <p><b>“(i) fails to implement an</b></p>	<p><b>Like eligible agencies , eligible recipients are eligible for sanctions if:</b></p> <ul style="list-style-type: none"> <li>• <b>It fails to implement an improvement plan;</b></li> <li>• <b>Fails to make any improvement within the first program year of implementation of its improvement plan; or</b></li> <li>• <b>Doesn’t meet 90% of an adjusted performance levels for the same performance measures for three consecutive years.</b></li> </ul> <p><b>If an eligible recipient is sanctioned, the eligible agency can withhold some or all of the eligible recipients’ allotment.</b></p>

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<p>may, after notice and opportunity for a hearing, withhold from the eligible agency all, or a portion of, the eligible agency's allotment under this title. The Secretary may waive the sanction under this paragraph due to exceptional or uncontrollable circumstances such as a natural disaster or a precipitous and unforeseen decline in the financial resources of the State.</p>	<p>improvement plan as described in paragraph (2);</p> <p>“(ii) fails to make any improvement in meeting any of the local adjusted levels of performance for the core indicators of performance identified under paragraph (2) within the first program year of implementation of its improvement plan described in paragraph (2); or</p> <p>“(iii) fails to meet at least 90 percent of an agreed upon local adjusted level of performance for the same core indicator of performance for 3 consecutive years.</p>	
	<p><b>“(B) WAIVER FOR EXCEPTIONAL CIRCUMSTANCES.--</b>In determining whether to impose sanctions under subparagraph (A), the eligible agency may waive imposing sanctions--</p> <p>“(i) due to exceptional or uncontrollable circumstances, such as a natural disaster or a precipitous and unforeseen decline in the financial resources of the</p>	<p><b>Mirrors state waiver for exceptional circumstances.</b></p>

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	<p>eligible recipient; or</p> <p>“(ii) based on the impact on the eligible recipient's reported performance of the small size of the career and technical education program operated by the eligible recipient.</p>	
	<p>“(5) <b>FUNDS RESULTING FROM REDUCED ALLOTMENTS.</b>--The eligible agency shall use funds withheld under paragraph (4) from an eligible recipient to provide (through alternative arrangements) services and activities to students within the area served by such recipient to meet the purposes of this Act.</p>	<p><b>If an eligible agency sanctions an eligible recipient, the funds withheld must be used to provide services to the students who were served by that eligible recipient.</b></p>
<p><b>“(B) REDISTRIBUTION.</b>—If the Secretary cannot satisfactorily use funds withheld under paragraph (2), then the amount of funds retained by the Secretary as a result of a reduction in an allotment made under paragraph (2) shall be redistributed to other eligible agencies in accordance with section 111.</p>		<p><b>This language was eliminated.</b></p>
<p><b>“SEC. 124. STATE LEADERSHIP ACTIVITIES.</b></p> <p><b>“(a) GENERAL AUTHORITY.</b>—From amounts</p>	<p>“SEC. 124. STATE LEADERSHIP ACTIVITIES.</p> <p>“(a) <i>General Authority.</i>--From amounts reserved under section</p>	<p><b>No change.</b></p>

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reserved under section 112(a)(2), each eligible agency shall conduct State leadership activities.	112(a)(2), each eligible agency shall conduct State leadership activities.	
<p><b>“(b) REQUIRED USES OF FUNDS.—</b>The State leadership activities described in subsection (a) shall include—</p> <p>“(1) an assessment of the vocational and technical education programs carried out with funds under this title that includes an assessment of how the needs of special populations are being met and how such programs are designed to enable special populations to meet State adjusted levels of performance and prepare the special populations for further learning or for high skill, high wage careers;</p>	<p>“(b) <i>Required Uses of Funds.</i>-- The State leadership activities described in subsection (a) shall include--</p> <p>“(1) an assessment of the career and technical education programs carried out with funds under this title, including an assessment of how the needs of special populations are being met and how the career and technical education programs are designed to enable special populations to meet State adjusted levels of performance and prepare the special populations for further education, further training, or for high skill, high wage, or high demand occupations;</p>	<p><b>Add the focus on “high demand” to the analysis/assessment the eligible agency must conduct to ensure that the CTE programs supported by this Act are preparing students, including special pops to meet the performance goals in section 113 and are preparing students for high skill, high wage and also high demand occupations.</b></p>
<p>“(2) developing, improving, or expanding the use of technology in vocational and technical education that may include—</p> <p>“(A) training of vocational and technical education personnel to use state-of-the-art technology, that may include distance learning;</p> <p>“(B) providing vocational and</p>	<p>“(2) developing, improving, or expanding the use of technology in career and technical education that may include--</p> <p>“(A) training of career and technical education teachers, faculty, career guidance and academic counselors, and administrators to use technology,</p>	

1998	2006	Differences/Comments
<p>technical education students with the academic, and vocational and technical skills that lead to entry into the high technology and telecommunications field; or</p> <p>“(C) encouraging schools to work with high technology industries to offer voluntary internships and mentoring programs;</p>	<p>including distance learning;</p> <p>“(B) providing career and technical education students with the academic and career and technical skills (including the mathematics and science knowledge that provides a strong basis for such skills) that lead to entry into technology fields, including non-traditional fields; or</p> <p>“(C) encouraging schools to collaborate with technology industries to offer voluntary internships and mentoring programs;</p>	<p><b>New language calls attention to the math and science knowledge that is foundational to many CTE programs, including non-traditional programs.</b></p>
<p>“(3) professional development programs, including providing comprehensive professional development (including initial teacher preparation) for vocational and technical, academic, guidance, and administrative personnel, that—</p>	<p>“(3) professional development programs, including providing comprehensive professional development (including initial teacher preparation) for career and technical education teachers, faculty, administrators, and career guidance and academic counselors at the secondary and postsecondary levels, that support activities described in section 122 and--</p>	<p><b>This language mirrors the state plan language to expand the list of stakeholders to specifically include secondary and postsecondary CTE teachers/faculty and career guidance and academic counselors.</b></p>
<p>“(A) will provide in-service and pre-service training in state-of-the-art vocational and technical education programs and techniques, effective teaching</p>	<p>“(A) provide in-service and pre-service training in career and technical education programs--</p> <p>“(i) on effective integration and</p>	<p><b>This language mirrors the state plan language and requires professional development to focus on integration, research-based practices, improvement of parental and community involvement, and the use of research to inform and improve instruction.</b></p>

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skills based on research, and effective practices to improve parental and community involvement; and	<p>use of challenging academic and career and technical education provided jointly with academic teachers to the extent practicable;</p> <p>“(ii) on effective teaching skills based on research that includes promising practices;</p> <p>“(iii) on effective practices to improve parental and community involvement; and</p> <p>“(iv) on effective use of scientifically based research and data to improve instruction;</p>	
	“(B) are high quality, sustained, intensive, and classroom-focused in order to have a positive and lasting impact on classroom instruction and the teacher's performance in the classroom, and are not 1-day or short-term workshops or conferences;	<b>This language mirrors the state plan language. Professional development must be classroom-focused and cannot be “1-day or short-term.”</b>
“(B) will help teachers and personnel to assist students in meeting the State adjusted levels of performance established under section 113;	“(C) will help teachers and personnel to improve student achievement in order to meet the State adjusted levels of performance established under section 113;	<b>No change.</b>
“(C) will support education	“(D) will support education	<b>Professional development should also help CTE professionals stay</b>

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<p>programs for teachers of vocational and technical education in public schools and other public school personnel who are involved in the direct delivery of educational services to vocational and technical education students to ensure that such teachers stay current with the needs, expectations, and methods of industry; and</p>	<p>programs for teachers of career and technical education in public schools and other public school personnel who are involved in the direct delivery of educational services to career and technical education students to ensure that teachers and personnel--</p> <p>“(i) stay current with the needs, expectations, and methods of industry;</p> <p>“(ii) can effectively develop rigorous and challenging, integrated academic and career and technical education curricula jointly with academic teachers, to the extent practicable;</p> <p>“(iii) develop a higher level of academic and industry knowledge and skills in career and technical education; and</p> <p>“(iv) effectively use applied learning that contributes to the academic and career and technical knowledge of the student; and</p>	<p><b>current in their content field, focus on applied learning strategies and the integration of academic and technical content (specifically identifies having both academic and technical teachers/faculty at the same training).</b></p>
<p>“(D) is integrated with the professional development activities that the State carries out under title</p>	<p>“(E) are coordinated with the teacher certification or licensing and professional development</p>	<p><b>No change.</b></p>



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II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6001 et seq.) and title II of the Higher Education Act of 1965;	activities that the State carries out under title II of the Elementary and Secondary Education Act of 1965 and title II of the Higher Education Act of 1965;	
“(4) support for vocational and technical education programs that improve the academic, and vocational and technical skills of students participating in vocational and technical education programs by strengthening the academic, and vocational and technical components of such vocational and technical education programs through the integration of academics with vocational and technical education to ensure learning in the core academic, and vocational and technical subjects;	“(4) supporting career and technical education programs that improve the academic and career and technical skills of students participating in career and technical education programs by strengthening the academic and career and technical components of such career and technical education programs, through the integration of coherent and relevant content aligned with challenging academic standards and relevant career and technical education, to ensure achievement in—  “(A) the core academic subjects (as defined in section 9101 of the Elementary and Secondary Education Act of 1965); and  “(B) career and technical education subjects;	<b>CTE programs receiving Perkins funding should focus dually on preparation for academic (as defined by NCLB) and technical competency. This preparation should include the integration of coherent and relevant content that is aligned to standards.</b>
“(5) providing preparation for nontraditional training and employment;	“(5) providing preparation for non-traditional fields in current and emerging professions, and other activities that expose students, including special	<b>Retains a focus on preparation in non-traditional fields but is more specific in that the preparation should expose students, including special pops, to high skill, high wage occupations.</b>

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	populations, to high skill, high wage occupations;	
“(6) supporting partnerships among local educational agencies, institutions of higher education, adult education providers, and, as appropriate, other entities, such as employers, labor organizations, parents, and local partnerships, to enable students to achieve State academic standards, and vocational and technical skills;	“(6) supporting partnerships among local educational agencies, institutions of higher education, adult education providers, and, as appropriate, other entities, such as employers, labor organizations, intermediaries, parents, and local partnerships, to enable students to achieve State academic standards, and career and technical skills, or complete career and technical programs of study, as described in section 122(c)(1)(A);	<b>The focus of these partnerships is expanded upon to include the achievement of State academic standards, CTE skills and the programs of study.</b>
“(7) serving individuals in State institutions, such as State correctional institutions and institutions that serve individuals with disabilities; and	“(7) serving individuals in State institutions, such as State correctional institutions and institutions that serve individuals with disabilities;	<b>No change.</b>
“(8) support for programs for special populations that lead to high skill, high wage careers.	“(8) support for programs for special populations that lead to high skill, high wage, or high demand occupations; and	<b>A new focus on support for programs for special populations to also include preparation for “high demand” occupations.</b>
	“(9) technical assistance for eligible recipients.	<b>Technical assistance is now a required state leadership use of funds. This decision was made to reinforce the connection between uses of funds and accountability data and requiring professional development and technical assistance to close achievement and performance gaps.</b>
<b>“(c) PERMISSIBLE USES OF FUNDS.</b> —The leadership activities described in subsection (a) may include—	“(c) <i>Permissible Uses of Funds.</i> --The leadership activities described in subsection (a) may include--	

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“(1) technical assistance for eligible recipients;		<b>Technical assistance was moved to required uses of funds.</b>
“(2) improvement of career guidance and academic counseling programs that assist students in making informed academic, and vocational and technical education decisions;	<p>“(1) improvement of career guidance and academic counseling programs that assist students in making informed academic and career and technical education decisions, including--</p> <p>“(A) encouraging secondary and postsecondary students to graduate with a diploma or degree; and</p> <p>“(B) exposing students to high skill, high wage occupations and non-traditional fields;</p>	<b>New language suggests that counseling programs should encourage students to attain a diploma or degree and that the programs should expose students to high skill, high wage occupations and non-traditional fields.</b>
“(3) establishment of agreements between secondary and postsecondary vocational and technical education programs in order to provide postsecondary education and training opportunities for students participating in such vocational and technical education programs, such as tech-prep programs;	“(2) establishment of agreements, including articulation agreements, between secondary school and postsecondary career and technical education programs in order to provide postsecondary education and training opportunities for students participating in such career and technical education programs, such as tech prep programs;	<b>While the Perkins III provision was broadly connecting secondary and postsecondary programs, this Act specifically refers to articulation agreements and Tech Prep as means of achieving effective learner transition.</b>
	“(3) support for initiatives to facilitate the transition of sub baccalaureate career and technical education students into baccalaureate degree programs,	<p><b>This is a new addition to expand the focus of transition from secondary to 2 year programs to also include the transition from sub baccalaureate CTE to baccalaureate degree programs.</b></p> <p><b>Myriad ways to achieve this new focus are allowed:</b></p>

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	<p>including--</p> <p>“(A) statewide articulation agreements between associate degree granting career and technical postsecondary educational institutions and baccalaureate degree granting postsecondary educational institutions;</p> <p>“(B) postsecondary dual and concurrent enrollment programs;</p> <p>“(C) academic and financial aid counseling; and</p> <p>“(D) other initiatives--</p> <p>“(i) to encourage the pursuit of a baccalaureate degree; and</p> <p>“(ii) to overcome barriers to participation in baccalaureate degree programs, including geographic and other barriers affecting rural students and special populations;</p>	<ul style="list-style-type: none"> <li>• <b>statewide articulation agreements;</b></li> <li>• <b>dual and concurrent enrollment programs; and</b></li> <li>• <b>academic and financial aid counseling.</b></li> </ul>
“(5) support for vocational and technical student organizations, especially with respect to efforts to increase the participation of students who are members of special populations;	“(4) support for career and technical student organizations, especially with respect to efforts to increase the participation of students who are members of special populations;	<b>No change.</b>

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“(6) support for public charter schools operating secondary vocational and technical education programs;	“(5) support for public charter schools operating career and technical education programs;	No change.
“(7) support for vocational and technical education programs that offer experience in, and understanding of, all aspects of an industry for which students are preparing to enter;	“(6) support for career and technical education programs that offer experience in, and understanding of, all aspects of an industry for which students are preparing to enter;	No change.
“(8) support for family and consumer sciences programs;	“(7) support for family and consumer sciences programs;	No change.
“(9) support for education and business partnerships; “(4) support for cooperative education;	“(8) support for partnerships between education and business or business intermediaries, including cooperative education and adjunct faculty arrangements at the secondary and postsecondary levels;	Merges two prior uses of funds – partnerships and coop ed. Also adds a new allowable use to encourage faculty sharing among secondary and postsecondary programs.
“(10) support to improve or develop new vocational and technical education courses	“(9) support to improve or develop new career and technical education courses and initiatives, including career clusters, career academies, and distance education, that prepare individuals academically and technically for high skill, high wage, or high demand occupations;	The focus on improving CTE specifically calls attention to several prominent initiatives including career clusters, career academies, and distance education and encourages that these initiatives focus on preparing students for high skill, high wage or high demand occupations.
	“(10) awarding incentive grants to eligible recipients--  “(A) for exemplary performance in carrying out programs under this Act, which	While the incentive grants were removed at the national level, this new provision was added to allow eligible agencies to provide incentives to eligible recipients. The incentives are focused on four areas where the Congress would like to see focus and/or expansion within CTE – rewarding performance; connections between secondary and postsecondary; adopting coherent and rigorous

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	<p>awards shall be based on--</p> <p>“(i) eligible recipients exceeding the local adjusted levels of performance established under section 113(b) in a manner that reflects sustained or significant improvement;</p> <p>“(ii) eligible recipients effectively developing connections between secondary education and postsecondary education and training;</p> <p>“(iii) the adoption and integration of coherent and rigorous content aligned with challenging academic standards and technical coursework;</p> <p>“(iv) eligible recipients' progress in having special populations who participate in career and technical education programs meet local adjusted levels of performance; or</p> <p>“(v) other factors relating to the performance of eligible recipients under this Act as the eligible agency determines are appropriate; or</p>	<p><b>content aligned with challenging academic standards and technical coursework; progress in special populations meeting adjusted levels of performance; and other factors determined by the eligible agency.</b></p>

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	“(B) if an eligible recipient elects to use funds as permitted under section 135(c)(19);	
	“(11) providing for activities to support entrepreneurship education and training;	<b>This new provision allows state leadership funds to support entrepreneurship education.</b>
“(11) providing vocational and technical education programs for adults and school dropouts to complete their secondary school education; and	“(12) providing career and technical education programs for adults and school dropouts to complete their secondary school education, in coordination, to the extent practicable, with activities authorized under the Adult Education and Family Literacy Act;	<b>Retains the allowance to use state leadership funds on drop out programs but adds a new requirement for coordination with the Adult Ed programs.</b>
“(12) providing assistance to students, who have participated in services and activities under this title, in finding an appropriate job and continuing their education.	“(13) providing assistance to individuals, who have participated in services and activities under this title, in continuing the individuals' education or training or finding appropriate jobs, such as through referral to the system established under section 121 of Public Law 105-220;	<b>Retains the allowance to use state leadership funds for adult CTE programs, but encourages coordination of these programs Workforce Investment Act one-stop centers.</b>
	“(14) developing valid and reliable assessments of technical skills;	<b>This new provision allows state leadership funds to support the development of technical assessments.</b>
	“(15) developing and enhancing data systems to collect and analyze data on secondary and postsecondary academic and employment outcomes;	<b>This new provision allows state leadership funds to support the development of data systems, as well as the use of the data.</b>
	“(16) improving--	<b>This new provision allows state leadership funds to support teacher recruitment and retention programs. Language in the state plan</b>

1998	2006	Differences/Comments
	<p>“(A) the recruitment and retention of career and technical education teachers, faculty, administrators, and career guidance and academic counselors, including individuals in groups underrepresented in the teaching profession; and</p> <p>“(B) the transition to teaching from business and industry, including small business; and</p>	mirrors this language.
	“(17) support for occupational and employment information resources, such as those described in section 118.	<b>When this Act was passed, the appropriations for Section 118 had been zeroed out. While we work to restore those funds, the Section 118 resources and services can be continued with state leadership dollars.</b>
“(d) <b>RESTRICTION ON USES OF FUNDS.</b> —An eligible agency that receives funds under section 112(a)(2) may not use any of such funds for administrative costs.	“(d) <i>Restriction on Uses of Funds.</i> --An eligible agency that receives funds under section 112(a)(2) may not use any of such funds for administrative costs	<b>No change.</b>
<p>“<b>PART C—LOCAL PROVISIONS</b></p> <p>“<b>SEC. 131. DISTRIBUTION OF FUNDS TO SECONDARY SCHOOL PROGRAMS.</b></p> <p>“(a) <b>DISTRIBUTION FOR FISCAL YEAR 1999.</b>—Except as provided in section 133 and as otherwise provided in this section, each eligible agency shall distribute the portion of the funds made available under section 112(a)(1) to carry out this section</p>		<b>This section was eliminated because it was no longer relevant. This Act does not make a substantive shift in the secondary formula and as such a phase in wasn’t required.</b>



1998	2006	Differences/Comments
for fiscal year 1999 to local educational agencies within the State as follows:		
<p><b>“(1) SEVENTY PERCENT.—</b>  From 70 percent of such portion, each local educational agency shall be allocated an amount that bears the same relationship to such 70 percent as the amount such local educational agency was allocated under section 1124 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6333) for the preceding fiscal year bears to the total amount received under such section by all local educational agencies in the State for such preceding fiscal year.</p>		<p><b>This section was eliminated because it was no longer relevant. This act does not make a substantive shift in the secondary formula and as such a phase in wasn’t required.</b></p>
<p><b>“(2) TWENTY PERCENT.—</b>  From 20 percent of such portion, each local educational agency shall be allocated an amount that bears the same relationship to such 20 percent as the number of students with disabilities who have individualized education programs under section 614(d) of the Individuals with Disabilities Education Act (20 U.S.C. 1414(d)) served by such local educational agency for the preceding fiscal year bears to the total number of such students served by all local educational agencies in the State for such preceding fiscal year.</p>		<p><b>This section was eliminated because it was no longer relevant. This act does not make a substantive shift in the secondary formula and as such a phase in wasn’t required.</b></p>

1998	2006	Differences/Comments
<p><b>“(3) TEN PERCENT.</b>—From 10 percent of such portion, each local educational agency shall be allocated an amount that bears the same relationship to such 10 percent as the number of students enrolled in schools and adults enrolled in training programs under the jurisdiction of such local educational agency for the preceding fiscal year bears to the number of students enrolled in schools and adults enrolled in training programs under the jurisdiction of all local educational agencies in the State for such preceding fiscal year.</p>		<p><b>This section was eliminated because it was no longer relevant. This act does not make a substantive shift in the secondary formula and as such a phase in wasn’t required.</b></p>
<p><b>“(b) SPECIAL DISTRIBUTION RULES FOR SUCCEEDING FISCAL YEARS.</b>—Except as provided in section 133 and as otherwise provided in this section, each eligible agency shall distribute the portion of funds made available under section 112(a)(1) to carry out this section for fiscal year 2000 and succeeding fiscal years to local educational agencies within the State as follows:</p>		<p><b>This section was eliminated because it was no longer relevant. This act does not make a substantive shift in the secondary formula and as such a phase in wasn’t required.</b></p>
	<p><b>``PART C--LOCAL PROVISIONS</b></p> <p><b>``SEC. 131. DISTRIBUTION</b></p>	

1998	2006	Differences/Comments
	<p><b>OF FUNDS TO SECONDARY EDUCATION PROGRAMS.</b></p> <p>“(a) <i>Distribution Rules.</i>-- Except as provided in section 133 and as otherwise provided in this section, each eligible agency shall distribute the portion of funds made available under section 112(a)(1) to carry out this section to local educational agencies within the State as follows:</p>	
<p><b>“(1) 30 PERCENT.</b>—30 percent shall be allocated to such local educational agencies in proportion to the number of individuals aged 15 through 19, inclusive, who reside in the school district served by such local educational agency for the preceding fiscal year compared to the total number of such individuals who reside in the school districts served by all local educational agencies in the State for such preceding fiscal year.</p>	<p>“(1) <b>THIRTY PERCENT.</b>-- Thirty percent shall be allocated to such local educational agencies in proportion to the number of individuals aged 5 through 17, inclusive, who reside in the school district served by such local educational agency for the preceding fiscal year compared to the total number of such individuals who reside in the school districts served by all local educational agencies in the State for such preceding fiscal year, as determined on the basis of the most recent satisfactory--</p> <p>“(A) data provided to the Secretary by the Bureau of the Census for the purpose of determining eligibility under title I of the Elementary and Secondary</p>	<p><b>The formula was modified to reflect current practice.</b></p> <p><b>The Perkins III secondary formula incorporated an age range of 15-19 years old. However this data set was not readily available. During Perkins III implementation, in the absence of the 15-19 data set, the 5-17 data set has been used. The 5 -1 7 data set is now legislated to be used under Perkins IV.</b></p>

1998	2006	Differences/Comments
	<p>Education Act of 1965; or</p> <p>“(B) student membership data collected by the National Center for Education Statistics through the Common Core of Data survey system.</p>	
<p><b>“(2) 70 PERCENT.</b>—70 percent shall be allocated to such local educational agencies in proportion to the number of individuals aged 15 through 19, inclusive, who reside in the school district served by such local educational agency from families with incomes below the poverty line (as defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved for the fiscal year for which the determination is made compared to the number of such individuals who reside in the school districts served by all the local educational agencies in the State for such preceding fiscal year.</p>	<p>“(2) <b>SEVENTY PERCENT.</b>-- Seventy percent shall be allocated to such local educational agencies in proportion to the number of individuals aged 5 through 17, inclusive, who reside in the school district served by such local educational agency and are from families below the poverty level for the preceding fiscal year, as determined on the basis of the most recent satisfactory data used under section 1124(c)(1)(A) of the Elementary and Secondary Education Act of 1965, compared to the total number of such individuals who reside in the school districts served by all the local educational agencies in the State for such preceding fiscal year.</p>	<p><b>The formula was modified to reflect current practice.</b></p> <p><b>The Perkins III secondary formula incorporated an age range of 15-19 years old. However this data set was not readily available. During Perkins III implementation, in the absence of the 15-19 data set, the 5-17 data set has been used. The 5 -1 7 data set is now legislated to be used under Perkins IV.</b></p>
	<p>“(3) <b>ADJUSTMENTS.</b>--Each eligible agency, in making the allocations under paragraphs (1) and (2), shall adjust the data used</p>	<p><b>Requires adjustments to be made for changes in school district boundaries and charter schools/secondary schools operated by the Bureau of Indian Affairs.</b></p>

1998	2006	Differences/Comments
	<p>to make the allocations to--</p> <p>“(A) reflect any change in school district boundaries that may have occurred since the data were collected; and</p> <p>“(B) include local educational agencies without geographical boundaries, such as charter schools and secondary schools funded by the Bureau of Indian Affairs.</p>	
<p><b>“(c) WAIVER FOR MORE EQUITABLE DISTRIBUTION.</b>—The Secretary may waive the application of subsection (b) in the case of any eligible agency that submits to the Secretary an application for such a waiver that—</p> <p>“(1) demonstrates that a proposed alternative formula more effectively targets funds on the basis of poverty (as defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)) to local educational agencies within the State than the formula described in</p>	<p>“(b) <i>Waiver for More Equitable Distribution.</i>--The Secretary may waive the application of subsection (a) in the case of any eligible agency that submits to the Secretary an application for such a waiver that--</p> <p>“(1) demonstrates that a proposed alternative formula more effectively targets funds on the basis of poverty (as defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) to local educational agencies within the State than the formula</p>	<p><b>No change.</b></p> <p><b>An alternate formula can be used if that formula more effectively areas of high need.</b></p>

1998	2006	Differences/Comments
<p>subsection (b); and</p> <p>“(2) includes a proposal for such an alternative formula.</p>	<p>described in subsection (a); and</p> <p>“(2) includes a proposal for such an alternative formula.</p>	
<p><b>“(d) MINIMUM ALLOCATION.—</b></p> <p><b>“(1) IN GENERAL.—</b>Except as provided in paragraph (2), a local educational agency shall not receive an allocation under subsection (a) unless the amount allocated to such agency under subsection (a) is greater than \$15,000. A local educational agency may enter into a consortium with other local educational agencies for purposes of meeting the minimum allocation requirement of this paragraph.</p>	<p>“(c) <i>Minimum Allocation.--</i></p> <p>“(1) <b>IN GENERAL.--</b>Except as provided in paragraph (2), a local educational agency shall not receive an allocation under subsection (a) unless the amount allocated to such agency under subsection (a) is greater than \$15,000. A local educational agency may enter into a consortium with other local educational agencies for purposes of meeting the minimum allocation requirement of this paragraph.</p>	<p><b>No change.</b></p>
<p><b>“(2) WAIVER.—</b>The eligible agency shall waive the application of paragraph (1) in any case in which the local educational agency—</p> <p>“(A)(i) is located in a rural, sparsely populated area, or</p> <p>“(ii) is a public charter school operating secondary vocational and technical education programs; and</p> <p>“(B) demonstrates that the local</p>	<p>“(2) <b>WAIVER.--</b>The eligible agency shall waive the application of paragraph (1) in any case in which the local educational agency--</p> <p>“(A)(i) is located in a rural, sparsely populated area; or</p> <p>“(ii) is a public charter school operating secondary school career and technical education programs; and</p>	<p><b>No change.</b></p> <p><b>The minimum allocation levels can be waived for public charter schools operating CTE programs and for a rural area that can demonstrate it is unable to enter into a consortium.</b></p>

1998	2006	Differences/Comments
educational agency is unable to enter into a consortium for purposes of providing activities under this part.	“(B) demonstrates that the local educational agency is unable to enter into a consortium for purposes of providing activities under this part.	
“(3) <b>REDISTRIBUTION.</b> —Any amounts that are not allocated by reason of paragraph (1) or paragraph (2) shall be redistributed to local educational agencies that meet the requirements of paragraph (1) or (2) in accordance with the provisions of this section	“(3) <b>REDISTRIBUTION.</b> --Any amounts that are not allocated by reason of paragraph (1) or paragraph (2) shall be redistributed to local educational agencies that meet the requirements of paragraph (1) or (2) in accordance with the provisions of this section.	<b>No change.</b>
“(e) <b>LIMITED JURISDICTION AGENCIES.</b> — “(1) <b>IN GENERAL.</b> —In applying the provisions of subsection (a), no eligible agency receiving assistance under this title shall allocate funds to a local educational agency that serves only elementary schools, but shall distribute such funds to the local educational agency or regional educational agency that provides secondary school services to secondary school students in the same attendance area.	“(d) <i>Limited Jurisdiction Agencies.</i> --  “(1) <b>IN GENERAL.</b> --In applying the provisions of subsection (a), no eligible agency receiving assistance under this title shall allocate funds to a local educational agency that serves only elementary schools, but shall distribute such funds to the local educational agency or regional educational agency that provides secondary school services to secondary school students in the same attendance area.	<b>No change.</b>
“(2) <b>SPECIAL RULE.</b> —The amount to be allocated under paragraph (1) to a local educational agency that has jurisdiction only	“(2) <b>SPECIAL RULE.</b> --The amount to be allocated under paragraph (1) to a local educational agency that has	<b>No change.</b>

1998	2006	Differences/Comments
over secondary schools shall be determined based on the number of students that entered such secondary schools in the previous year from the elementary schools involved.	jurisdiction only over secondary schools shall be determined based on the number of students that entered such secondary schools in the previous year from the elementary schools involved.	
<p><b>“(f ) ALLOCATIONS TO AREA VOCATIONAL AND TECHNICAL EDUCATION SCHOOLS AND EDUCATIONAL SERVICE AGENCIES.—</b></p> <p><b>“(1) IN GENERAL.—</b>Each eligible agency shall distribute the portion of funds made available under section 112(a)(1) for any fiscal year by such eligible agency for secondary school vocational and technical education activities under this section to the appropriate area vocational and technical education school or educational service agency in any case in which the area vocational and technical education school or educational service agency, and the local educational agency concerned—</p> <p>“(A) have formed or will form a consortium for the purpose of receiving funds under this section; or</p> <p>“(B) have entered into or will</p>	<p><i>“(e) Allocations to Area Career and Technical Education Schools and Educational Service Agencies.--</i></p> <p><i>“(1) IN GENERAL.--</i>Each eligible agency shall distribute the portion of funds made available under section 112(a)(1) for any fiscal year by such eligible agency for career and technical education activities at the secondary level under this section to the appropriate area career and technical education school or educational service agency in any case in which the area career and technical education school or educational service agency, and the local educational agency concerned--</p> <p><i>“(A) have formed or will form a consortium for the purpose of receiving funds under this section; or</i></p> <p><i>“(B) have entered into or will</i></p>	<p><b>No change.</b></p>



1998	2006	Differences/Comments
enter into a cooperative arrangement for such purpose.	enter into a cooperative arrangement for such purpose.	
<p><b>“(2) ALLOCATION BASIS.</b>—If an area vocational and technical education school or educational service agency meets the requirements of paragraph (1), then the amount that would otherwise be distributed to the local educational agency shall be allocated to the area vocational and technical education school, the educational service agency, and the local educational agency based on each school, agency or entity’s relative share of students who are attending vocational and technical education programs (based, if practicable, on the average enrollment for the preceding 3 years;</p>	<p><b>“(2) ALLOCATION BASIS.</b>--If an area career and technical education school or educational service agency meets the requirements of paragraph (1), then the amount that would otherwise be distributed to the local educational agency shall be allocated to the area career and technical education school, the educational service agency, and the local educational agency based on each school, agency or entity's relative share of students who are attending career and technical education programs (based, if practicable, on the average enrollment for the preceding 3 years).</p>	No change.
<p><b>“(3) APPEALS PROCEDURE.</b>—The eligible agency shall establish an appeals procedure for resolution of any dispute arising between a local educational agency and an area vocational and technical education school or an educational service agency with respect to the allocation procedures described in this section, including the decision of a local educational agency to leave a consortium or terminate a cooperative arrangement.</p>	<p><b>“(3) APPEALS PROCEDURE.</b>-The eligible agency shall establish an appeals procedure for resolution of any dispute arising between a local educational agency and an area career and technical education school or an educational service agency with respect to the allocation procedures described in this section, including the decision of a local educational agency to leave a consortium or terminate a cooperative arrangement.</p>	No change.

1998	2006	Differences/Comments
<p><b>“(g) CONSORTIUM REQUIREMENTS.—</b></p> <p><b>“(1) ALLIANCE.—</b>Any local educational agency receiving an allocation that is not sufficient to conduct a program which meets the requirements of section 135 is encouraged to—</p> <p>“(A) form a consortium or enter into a cooperative agreement with an area vocational and technical education school or educational service agency offering programs that meet the requirements of section 135;</p> <p>“(B) transfer such allocation to the area vocational and technical education school or educational service agency; and</p> <p>“(C) operate programs that are of sufficient size, scope, and quality to be effective.</p>	<p>“(f) <i>Consortium Requirements.</i>--</p> <p>“(1) <b>ALLIANCE.</b>--Any local educational agency receiving an allocation that is not sufficient to conduct a program which meets the requirements of section 135 is encouraged to--</p> <p>“(A) form a consortium or enter into a cooperative agreement with an area career and technical education school or educational service agency offering programs that meet the requirements of section 135;</p> <p>“(B) transfer such allocation to the area career and technical education school or educational service agency; and</p> <p>“(C) operate programs that are of sufficient size, scope, and quality to be effective.</p>	<p><b>No change.</b></p>
<p><b>“(2) FUNDS TO CONSORTIUM.—</b>Funds allocated to a consortium formed to meet the requirements of this paragraph shall be used only for purposes and programs that are mutually beneficial to all members of the consortium and can be used only for programs authorized under</p>	<p>“(2) <b>FUNDS TO CONSORTIUM.</b>--Funds allocated to a consortium formed to meet the requirements of this subsection shall be used only for purposes and programs that are mutually beneficial to all members of the consortium and can be used only for programs authorized</p>	<p><b>No change.</b></p>

1998	2006	Differences/Comments
this title. Such funds may not be reallocated to individual members of the consortium for purposes or programs benefiting only one member of the consortium.	under this title. Such funds may not be reallocated to individual members of the consortium for purposes or programs benefiting only 1 member of the consortium.	
“(h) DATA.—The Secretary shall collect information from eligible agencies regarding the specific dollar allocations made available by the eligible agency for vocational and technical education programs under subsections (a), (b), (c), and (d) and how these allocations are distributed to local educational agencies, area vocational and technical education schools, and educational service agencies, within the State in accordance with this section.	“(g) <i>Data</i> .--The Secretary shall collect information from eligible agencies regarding the specific dollar allocations made available by the eligible agency for career and technical education programs under subsections (a), (b), (c), (d), and (e) and how these allocations are distributed to local educational agencies, area career and technical education schools, and educational service agencies, within the State in accordance with this section.	No change.
“(i) <b>SPECIAL RULE.</b> —Each eligible agency distributing funds under this section shall treat a secondary school funded by the Bureau of Indian Affairs within the State as if such school were a local educational agency within the State for the purpose of receiving a distribution under this section.	“(h) <i>Special Rule</i> .--Each eligible agency distributing funds under this section shall treat a secondary school funded by the Bureau of Indian Affairs within the State as if such school were a local educational agency within the State for the purpose of receiving a distribution under this section.	No change.
<b>“SEC. 132. DISTRIBUTION OF FUNDS FOR POSTSECONDARY VOCATIONAL AND TECHNICAL EDUCATION PROGRAMS.</b>	<b>“SEC. 132. DISTRIBUTION OF FUNDS FOR POSTSECONDARY EDUCATION PROGRAMS.</b>	No change.

1998	2006	Differences/Comments
<p><b>“(a) ALLOCATION.—</b>  <b>“(1) IN GENERAL.—</b>Except as provided in subsections (b) and (c) and section 133, each eligible agency shall distribute the portion of the funds made available under section 112(a)(1) to carry out this section for any fiscal year to eligible institutions or consortia of eligible institutions within the State.</p>	<p><b>“(a) Allocation.--</b>  <b>“(1) IN GENERAL.--</b>Except as provided in subsections (b) and (c) and section 133, each eligible agency shall distribute the portion of the funds made available under section 112(a)(1) to carry out this section for any fiscal year to eligible institutions or consortia of eligible institutions within the State.</p>	
<p><b>“(2) FORMULA.—</b>Each eligible institution or consortium of eligible institutions shall be allocated an amount that bears the same relationship to the portion of funds made available under section 112(a)(1) to carry out this section for any fiscal year as the sum of the number of individuals who are Federal Pell Grant recipients and recipients of assistance from the Bureau of Indian Affairs enrolled in programs meeting the requirements of section 135 offered by such institution or consortium in the preceding fiscal year bears to the sum of the number of such recipients enrolled in such programs within the State for such year.</p>	<p><b>“(2) FORMULA.--</b>Each eligible institution or consortium of eligible institutions shall be allocated an amount that bears the same relationship to the portion of funds made available under section 112(a)(1) to carry out this section for any fiscal year as the sum of the number of individuals who are Federal Pell Grant recipients and recipients of assistance from the Bureau of Indian Affairs enrolled in programs meeting the requirements of section 135 offered by such institution or consortium in the preceding fiscal year bears to the sum of the number of such recipients enrolled in such programs within the State for such year.</p>	<p><b>No change.</b></p>
<p><b>“(3) CONSORTIUM</b></p>	<p><b>“(3) CONSORTIUM</b></p>	<p><b>No change.</b></p>

1998	2006	Differences/Comments
<p><b>REQUIREMENTS.—</b></p> <p><b>“(A) IN GENERAL.—</b></p> <p>In order for a consortium of eligible institutions described in paragraph (2) to receive assistance pursuant to such paragraph, such consortium shall operate joint projects that—</p> <p>“(i) provide services to all postsecondary institutions participating in the consortium; and</p> <p>“(ii) are of sufficient size, scope, and quality to be effective.</p>	<p><b>REQUIREMENTS.--</b></p> <p><b>“(A) IN GENERAL.--</b></p> <p>In order for a consortium of eligible institutions described in paragraph (2) to receive assistance pursuant to such paragraph, such consortium shall operate joint projects that--</p> <p>“(i) provide services to all postsecondary institutions participating in the consortium; and</p> <p>“(ii) are of sufficient size, scope, and quality to be effective.</p>	
<p><b>“(B) FUNDS TO CONSORTIUM.—</b>Funds allocated to a consortium formed to meet the requirements of this section shall be used only for purposes and programs that are mutually beneficial to all members of the consortium and shall be used only for programs authorized under this title. Such funds may not be reallocated to individual members of the consortium for purposes or programs benefiting only one member of the consortium.</p>	<p><b>“(B) FUNDS TO CONSORTIUM.--</b>Funds allocated to a consortium formed to meet the requirements of this section shall be used only for purposes and programs that are mutually beneficial to all members of the consortium and shall be used only for programs authorized under this title. Such funds may not be reallocated to individual members of the consortium for purposes or programs benefiting only 1 member of the consortium.</p>	<p><b>No change.</b></p>
<p><b>“(4) WAIVER.—</b>The eligible</p>	<p><b>“(4) WAIVER.--</b>The eligible</p>	<p><b>No change.</b></p>

1998	2006	Differences/Comments
agency may waive the application of paragraph (3)(A)(i) in any case in which the eligible institution is located in a rural, sparsely populated area.	agency may waive the application of paragraph (3)(A)(i) in any case in which the eligible institution is located in a rural, sparsely populated area.	<b>Formula can be waived for eligible institutions in rural areas.</b>
<p><b>“(b) WAIVER FOR MORE EQUITABLE DISTRIBUTION.—</b>The Secretary may waive the application of subsection (a) if an eligible agency submits to the Secretary an application for such a waiver that—</p> <p>“(1) demonstrates that the formula described in subsection (a) does not result in a distribution of funds to the eligible institutions or consortia within the State that have the highest numbers of economically disadvantaged individuals and that an alternative formula will result in such a distribution; and</p> <p>“(2) includes a proposal for such an alternative formula.</p>	<p><i>“(b) Waiver for More Equitable Distribution.--</i>The Secretary may waive the application of subsection (a) if an eligible agency submits to the Secretary an application for such a waiver that-</p> <p>“(1) demonstrates that the formula described in subsection (a) does not result in a distribution of funds to the eligible institutions or consortia within the State that have the highest numbers of economically disadvantaged individuals and that an alternative formula will result in such a distribution; and</p> <p>“(2) includes a proposal for such an alternative formula.</p>	<p><b>No change.</b></p> <p><b>An alternate formula can be used if the eligible agency can demonstrate that the new formula results in greater numbers of economically disadvantaged individuals being served.</b></p>
<p><b>“(c) MINIMUM GRANT AMOUNT.—</b></p> <p>“(1) IN GENERAL.—No institution or consortium shall receive an allocation under this section in an amount that is less than \$50,000.</p>	<p><i>“(c) Minimum Grant Amount.--</i></p> <p>“(1) <b>IN GENERAL.</b>--No institution or consortium shall receive an allocation under this section in an amount that is less than \$50,000.</p>	<p><b>No change.</b></p> <p><b>Postsecondary minimum grant allocation is still \$50,000.</b></p>

1998	2006	Differences/Comments
<p>“(2) REDISTRIBUTION.—Any amounts that are not distributed by reason of paragraph (1) shall be redistributed to eligible institutions or consortia in accordance with this section.</p>	<p>“(2) <b>REDISTRIBUTION.</b>-- Any amounts that are not distributed by reason of paragraph (1) shall be redistributed to eligible institutions or consortia in accordance with this section.</p>	
<p><b>“SEC. 133. SPECIAL RULES FOR VOCATIONAL AND TECHNICAL EDUCATION.</b></p> <p><b>“(a) SPECIAL RULE FOR MINIMAL ALLOCATION.—</b></p> <p><b>“(1) GENERAL AUTHORITY.</b>—Notwithstanding the provisions of sections 131 and 132 and in order to make a more equitable distribution of funds for programs serving the areas of greatest economic need, for any program year for which a minimal amount is made available by an eligible agency for distribution under section 131 or 132, such State may distribute such minimal amount for such year—</p> <p>“(A) on a competitive basis; or</p> <p>“(B) through any alternative method determined by the State.</p> <p><b>“(2) MINIMAL AMOUNT.—</b> For purposes of this section, the</p>	<p><b>“SEC. 133. SPECIAL RULES FOR CAREER AND TECHNICAL EDUCATION.</b></p> <p>“(a) <i>Special Rule for Minimal Allocation.</i>--</p> <p>“(1) <b>GENERAL AUTHORITY.</b>--Notwithstanding the provisions of sections 131 and 132 and in order to make a more equitable distribution of funds for programs serving the areas of greatest economic need, for any program year for which a minimal amount is made available by an eligible agency for distribution under section 131 or 132, such eligible agency may distribute such minimal amount for such year--</p> <p>“(A) on a competitive basis; or</p> <p>“(B) through any alternative method determined by the eligible</p>	<p><b>No change.</b></p>

1998	2006	Differences/Comments
<p>term ‘minimal amount’ means not more than 15 percent of the total amount made available for distribution under section 112(a)(1).</p>	<p>agency.</p> <p>“(2) <b>MINIMAL AMOUNT.</b>--For purposes of this section, the term ‘minimal amount’ means not more than 15 percent of the total amount made available for distribution under section 112(a)(1).</p>	
<p><b>“(b) REDISTRIBUTION.—</b></p> <p><b>“(1) IN GENERAL.—</b>In any academic year that an eligible recipient does not expend all of the amounts the eligible recipient is allocated for such year under section 131 or 132, such eligible recipient shall return any unexpended amounts to the eligible agency to be reallocated under section 131 or 132, as appropriate.</p>	<p>“(b) <i>Redistribution.</i>--</p> <p>“(1) <b>IN GENERAL.</b>--In any academic year that an eligible recipient does not expend all of the amounts the eligible recipient is allocated for such year under section 131 or 132, such eligible recipient shall return any unexpended amounts to the eligible agency to be reallocated under section 131 or 132, as appropriate.</p>	<p><b>No change.</b></p>
<p><b>“(2) REDISTRIBUTION OF AMOUNTS RETURNED LATE IN AN ACADEMIC YEAR.—</b>In any academic year in which amounts are returned to the eligible agency under section 131 or 132 and the eligible agency is unable to reallocate such amounts according to such sections in time for such amounts to be expended in such academic year, the eligible agency shall retain such amounts for</p>	<p>“(2) <b>REDISTRIBUTION OF AMOUNTS RETURNED LATE IN AN ACADEMIC YEAR.</b>--In any academic year in which amounts are returned to the eligible agency under section 131 or 132 and the eligible agency is unable to reallocate such amounts according to such sections in time for such amounts to be expended in such academic year, the eligible agency shall retain such amounts</p>	<p><b>No change.</b></p>



1998	2006	Differences/Comments
distribution in combination with amounts provided under section 112(a)(1) for the following academic year.	for distribution in combination with amounts provided under section 112(a)(1) for the following academic year.	
<p><b>“(c) CONSTRUCTION.—</b> Nothing in section 131 or 132 shall be construed—</p> <p>“(1) to prohibit a local educational agency or a consortium thereof that receives assistance under section 131, from working with an eligible institution or consortium thereof that receives assistance under section 132, to carry out secondary school vocational and technical education programs in accordance with this title;</p> <p>“(2) to prohibit an eligible institution or consortium thereof that receives assistance under section 132, from working with a local educational agency or consortium thereof that receives assistance under section 131, to carry out postsecondary and adult vocational and technical education programs in accordance with this title; or</p> <p>“(3) to require a charter school, that provides vocational and technical education programs and is considered a local educational</p>	<p><i>“(c) Construction.--</i>Nothing in section 131 or 132 shall be construed--</p> <p>“(1) to prohibit a local educational agency or a consortium thereof that receives assistance under section 131, from working with an eligible institution or consortium thereof that receives assistance under section 132, to carry out career and technical education programs at the secondary level in accordance with this title;</p> <p>“(2) to prohibit an eligible institution or consortium thereof that receives assistance under section 132, from working with a local educational agency or consortium thereof that receives assistance under section 131, to carry out postsecondary and adult career and technical education programs in accordance with this title; or</p> <p>“(3) to require a charter school, that provides career and technical education programs and is</p>	<p><b>No change.</b></p>

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agency under State law, to jointly establish the charter school's eligibility for assistance under this title unless the charter school is explicitly permitted to do so under the State's charter school statute.	considered a local educational agency under State law, to jointly establish the charter school's eligibility for assistance under this title unless the charter school is explicitly permitted to do so under the State's charter school statute.	
<p><b>“(d) CONSISTENT APPLICATION.</b>—For purposes of this section, the eligible agency shall provide funds to charter schools offering vocational and technical education programs in the same manner as the eligible agency provides those funds to other schools. Such vocational and technical education programs within a charter school shall be of sufficient size, scope, and quality to be effective.</p>	<p><b>“(d) <i>CONSISTENT APPLICATION.</i></b>—For purposes of this section, the eligible agency shall provide funds to charter schools offering career and technical education programs in the same manner as the eligible agency provides those funds to other schools. Such career and technical education programs within a charter school shall be of sufficient size, scope, and quality to be effective.</p>	<p><b>No change.</b></p>
<p><b>“SEC. 134. LOCAL PLAN FOR VOCATIONAL AND TECHNICAL EDUCATION PROGRAMS.</b></p> <p><b>“(a) LOCAL PLAN REQUIRED.</b>—Any eligible recipient desiring financial assistance under this part shall, in accordance with requirements established by the eligible agency (in consultation with such other educational entities as the eligible agency determines to be appropriate) submit a local plan to</p>	<p><b>“SEC. 134. LOCAL PLAN FOR CAREER AND TECHNICAL EDUCATION PROGRAMS.</b></p> <p><b>“(a) <i>LOCAL PLAN REQUIRED.</i></b>—Any eligible recipient desiring financial assistance under this part shall, in accordance with requirements established by the eligible agency (in consultation with such other educational training entities as the eligible agency determines to be</p>	<p><b>No change.</b></p>

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the eligible agency. Such local plan shall cover the same period of time as the period of time applicable to the State plan submitted under section 122.	appropriate) submit a local plan to the eligible agency. Such local plan shall cover the same period of time as the period of time applicable to the State plan submitted under section 122.	
<p><b>“(b) CONTENTS.—</b>The eligible agency shall determine requirements for local plans, except that each local plan shall—</p> <p>“(1) describe how the vocational and technical education programs required under section 135(b) will be carried out with funds received under this title;</p>	<p>“(b) <i>Contents.</i>--The eligible agency shall determine the requirements for local plans, except that each local plan shall--</p> <p>“(1) describe how the career and technical education programs required under section 135(b) will be carried out with funds received under this title;</p>	<b>No change.</b>
“(2) describe how the vocational and technical education activities will be carried out with respect to meeting State adjusted levels of performance established under section 113;	“(2) describe how the career and technical education activities will be carried out with respect to meeting State and local adjusted levels of performance established under section 113;	<b>In addition to describing progress in achieving the state performance targets, the local plan must also include the negotiated local levels of performance.</b>
“(3) describe how the eligible recipient will—	<p>“(3) describe how the eligible recipient will--</p> <p>“(A) offer the appropriate courses of not less than 1 of the career and technical programs of study described in section 122(c)(1)(A);</p>	<b>Each eligible recipient must offer at least one program of study. This is the minimum expectation.</b>
“(A) improve the academic and technical skills of students	“(B) improve the academic and technical skills of students	<b>CTE programs supported by this Act should focus both on preparation for academic (as defined by NCLB) and technical</b>

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<p>participating in vocational and technical education programs by strengthening the academic, and vocational and technical components of such programs through the integration of academics with vocational and technical education programs through a coherent sequence of courses to ensure learning in the core academic, and vocational and technical subjects;</p>	<p>participating in career and technical education programs by strengthening the academic and career and technical education components of such programs through the integration of coherent and rigorous content aligned with challenging academic standards and relevant career and technical education programs to ensure learning in--</p> <p>“(i) the core academic subjects (as defined in section 9101 of the Elementary and Secondary Education Act of 1965); and</p> <p>“(ii) career and technical education subjects;</p>	<p><b>competency. This preparation should include the integration of coherent and relevant content that is aligned to standards.</b></p>
<p>“(B) provide students with strong experience in and understanding of all aspects of an industry; and</p>	<p>“(C) provide students with strong experience in, and understanding of, all aspects of an industry;</p>	<p><b>No change.</b></p>
<p>“(C) ensure that students who participate in such vocational and technical education programs are taught to the same challenging academic proficiencies as are taught for all other students;</p>	<p>“(D) ensure that students who participate in such career and technical education programs are taught to the same coherent and rigorous content aligned with challenging academic standards as are taught to all other students; and</p>	<p><b>No change.</b></p>
	<p>“(E) encourage career and technical education students at the secondary level to enroll in</p>	<p><b>A new local plan requirement that encourages CTE students to enroll in rigorous academic courses (as defined by NCLB).</b></p>

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	rigorous and challenging courses in core academic subjects (as defined in section 9101 of the Elementary and Secondary Education Act of 1965);	
“(10) describe how comprehensive professional development (including initial teacher preparation) for vocational and technical, academic, guidance, and administrative personnel will be provided.	“(4) describe how comprehensive professional development (including initial teacher preparation) for career and technical education, academic, guidance, and administrative personnel will be provided that promotes the integration of coherent and rigorous content aligned with challenging academic standards and relevant career and technical education (including curriculum development);	<b>The audience for professional development is more specific and the substance of the professional development must focus on integration, – including curriculum development.</b>
“(4) describe how parents, students, teachers, representatives of business and industry, labor organizations, representatives of special populations, and other interested individuals are involved in the development, implementation, and evaluation of vocational and technical education programs assisted under this title, and how such individuals and entities are effectively informed about, and assisted in understanding, the requirements of this title;	“(5) describe how parents, students, academic and career and technical education teachers, faculty, administrators, career guidance and academic counselors, representatives of tech prep consortia (if applicable), representatives of the entities participating in activities described in section 117 of Public Law 105-220 (if applicable), representatives of business (including small business) and industry, labor organizations, representatives of special populations, and other interested individuals are involved in the	<b>No substantive change beyond expanding the group of stakeholders who should be involved in the development, implementation and evaluation of programs to specifically include both academic and CTE teachers and faculty and career guidance and academic counselors.</b>

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	development, implementation, and evaluation of career and technical education programs assisted under this title, and how such individuals and entities are effectively informed about, and assisted in understanding, the requirements of this title, including career and technical programs of study;	
“(5) provide assurances that the eligible recipient will provide a vocational and technical education program that is of such size, scope, and quality to bring about improvement in the quality of vocational and technical education programs;	“(6) provide assurances that the eligible recipient will provide a career and technical education program that is of such size, scope, and quality to bring about improvement in the quality of career and technical education programs;	<b>No change.</b>
“(6) describe the process that will be used to independently evaluate and continuously improve the performance of the eligible recipient;	“(7) describe the process that will be used to evaluate and continuously improve the performance of the eligible recipient;	<b>No change.</b>
<p>“(7) describe how the eligible recipient—</p> <p>“(A) will review vocational and technical education programs, and identify and adopt strategies to overcome barriers that result in lowering rates of access to or lowering success in the programs, for special populations; and</p> <p>“(B) will provide programs that</p>	<p>(8) describe how the eligible recipient will</p> <p>“(A) review career and technical education programs, and identify and adopt strategies to overcome barriers that result in lowering rates of access to or lowering success in the programs, for special populations;</p> <p>“(B) provide programs that are</p>	<b>This requirement is expanded to address access issues for special populations. Attention must be paid to achievement gaps for special populations and activities must be provided for special populations to prepare for high wage, high skill, or high demand jobs, leading to self-sufficiency.</b>

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are designed to enable the special populations to meet the State adjusted levels of performance;;	<p>designed to enable the special populations to meet the local adjusted levels of performance; and</p> <p>“(C) provide activities to prepare special populations, including single parents and displaced homemakers, for high skill, high wage, or high demand occupations that will lead to self-sufficiency;</p>	
“(8) describe how individuals who are members of the special populations will not be discriminated against on the basis of their status as members of the special populations	“(9) describe how individuals who are members of special populations will not be discriminated against on the basis of their status as members of the special populations;	<b>No change.</b>
“(9) describe how funds will be used to promote preparation for nontraditional training and employment; and	“(10) describe how funds will be used to promote preparation for non-traditional fields;	<b>No change.</b>
	“(11) describe how career guidance and academic counseling will be provided to career and technical education students, including linkages to future education and training opportunities; and	<b>A new requirement that focuses on how counseling will ensure students get the information necessary to make good career and postsecondary choices by being fully informed of their options.</b>
	<p>“(12) describe efforts to improve--</p> <p>“(A) the recruitment and retention of career and technical</p>	<b>A new requirement focused on teacher/faculty recruitment and retention.</b>

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	<p>education teachers, faculty, and career guidance and academic counselors, including individuals in groups underrepresented in the teaching profession; and</p> <p>“(B) the transition to teaching from business and industry.</p>	
<p><b>“SEC. 135. LOCAL USES OF FUNDS.</b></p> <p><b>“(a) GENERAL AUTHORITY.</b>—Each eligible recipient that receives funds under this part shall use such funds to improve vocational and technical education programs.</p>	<p><b>“(a) General Authority.</b>—Each eligible recipient that receives funds under this part shall use such funds to improve career and technical education programs.</p>	<p><b>No change.</b></p>
<p><b>“(b) REQUIREMENTS FOR USES OF FUNDS.</b>—Funds made available to eligible recipients under this part shall be used to support vocational and technical education programs that—</p>	<p><i>“(b) Requirements for Uses of Funds.</i>—Funds made available to eligible recipients under this part shall be used to support career and technical education programs that—</p>	<p><b>No change.</b></p>
<p>“(1) strengthen the academic, and vocational and technical skills of students participating in vocational and technical education programs by strengthening the academic, and vocational and technical components of such programs through the integration of academics with vocational and technical education programs through a coherent sequence of courses to ensure learning in the</p>	<p>“(1) strengthen the academic and career and technical skills of students participating in career and technical education programs, by strengthening the academic and career and technical education components of such programs through the integration of academics with career and technical education programs through a coherent sequence of courses, such as career and</p>	<p><b>No significant change. Emphasizes both preparation in core academic (as defined in NCLB) and CTE subjects, integration and coherent programs of study.</b></p>



1998	2006	Differences/Comments
core academic, and vocational and technical subjects;	<p>technical programs of study described in section 122(c)(1)(A), to ensure learning in--</p> <p>“(A) the core academic subjects (as defined in section 9101 of the Elementary and Secondary Education Act of 1965); and</p> <p>“(B) career and technical education subjects;</p>	
	“(2) link career and technical education at the secondary level and career and technical education at the postsecondary level, including by offering the relevant elements of not less than 1 career and technical program of study described in section 122(c)(1)(A);	<b>Requires eligible recipients to minimally implement one CTE program of study at the secondary and postsecondary levels.</b>
“(2) provide students with strong experience in and understanding of all aspects of an industry;	“(3) provide students with strong experience in and understanding of all aspects of an industry, which may include work-based learning experiences;	<b>Includes work-based learning experiences as an example of how eligible recipients might provide instruction in all aspects of an industry.</b>
<p>“(3) develop, improve, or expand the use of technology in vocational and technical education, which may include—</p> <p>“(A) training of vocational and technical education personnel to use state-of-the-art technology, which may include distance</p>	<p>“(4) develop, improve, or expand the use of technology in career and technical education, which may include--</p> <p>“(A) training of career and technical education teachers, faculty, and administrators to use technology, which may include</p>	

1998	2006	Differences/Comments
<p>learning;</p> <p>“(B) providing vocational and technical education students with the academic, and vocational and technical skills that lead to entry into the high technology and telecommunications field; or</p> <p>“(C) encouraging schools to work with high technology industries to offer voluntary internships and mentoring programs</p>	<p>distance learning;</p> <p>“(B) providing career and technical education students with the academic and career and technical skills (including the mathematics and science knowledge that provides a strong basis for such skills) that lead to entry into the technology fields; or</p> <p>“(C) encouraging schools to collaborate with technology industries to offer voluntary internships and mentoring programs, including programs that improve the mathematics and science knowledge of students;</p>	<p><b>New language calls attention to the math and science knowledge that is foundational to many CTE programs.</b></p>
<p>“(4) provide professional development programs to teachers, counselors, and administrators, including—</p> <p>“(A) in-service and pre-service training in state-of-the art vocational and technical education programs and techniques, in effective teaching skills based on research, and in effective practices to improve parental and community involvement;</p> <p>“(B) support of education programs for teachers of vocational and technical education in public</p>	<p>“(5) provide professional development programs that are consistent with section 122 to secondary and postsecondary teachers, faculty, administrators, and career guidance and academic counselors who are involved in integrated career and technical education programs, including--</p> <p>“(A) in-service and pre-service training on--</p> <p>“(i) effective integration and use of challenging academic and career and technical education</p>	<p><b>This revised language further defines which areas of professional development should be a priority (integration, applied learning, working with special pops and incorporating the use of data) and that the professional development should result in greater percentages of certified or licensed teachers.</b></p>

1998	2006	Differences/Comments
<p>schools and other public school personnel who are involved in the direct delivery of educational services to vocational and technical education students, to ensure that such teachers and personnel stay current with all aspects of an industry;</p> <p>“(C) internship programs that provide business experience to teachers; and</p> <p>“(D) programs designed to train teachers specifically in the use and application of technology;</p>	<p>provided jointly with academic teachers to the extent practicable;</p> <p>“(ii) effective teaching skills based on research that includes promising practices;</p> <p>“(iii) effective practices to improve parental and community involvement; and</p> <p>“(iv) effective use of scientifically based research and data to improve instruction;</p> <p>“(B) support of education programs for teachers of career and technical education in public schools and other public school personnel who are involved in the direct delivery of educational services to career and technical education students, to ensure that such teachers and personnel stay current with all aspects of an industry;</p> <p>“(C) internship programs that provide relevant business experience; and</p> <p>“(D) programs designed to train teachers specifically in the effective use and application of</p>	

1998	2006	Differences/Comments
	technology to improve instruction;	
“(5) develop and implement evaluations of the vocational and technical education programs carried out with funds under this title, including an assessment of how the needs of special populations are being met;	“(6) develop and implement evaluations of the career and technical education programs carried out with funds under this title, including an assessment of how the needs of special populations are being met;	No change.
“(6) initiate, improve, expand, and modernize quality vocational and technical education programs;	“(7) initiate, improve, expand, and modernize quality career and technical education programs, including relevant technology;	No substantive change.
“(7) provide services and activities that are of sufficient size, scope, and quality to be effective; and	“(8) provide services and activities that are of sufficient size, scope, and quality to be effective; and	No change.
	“(9) provide activities to prepare special populations, including single parents and displaced homemakers who are enrolled in career and technical education programs, for high skill, high wage, or high demand occupations that will lead to self-sufficiency.	<b>This is a new requirement. Eligible recipients must dedicate funds to supporting activities that prepare special populations for high skill, high wage or high demand jobs that will lead to self-sufficiency.</b>
“(8) link secondary vocational and technical education and postsecondary vocational and technical education, including implementing tech-prep programs.		<b>This topic is reflected in the programs of study requirements.</b>
“(c) <b>PERMISSIVE.</b> —Funds made available to an eligible recipient under this title may be used—	“(c) <i>Permissive.</i> --Funds made available to an eligible recipient under this title may be used--	

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“(1) to involve parents, businesses, and labor organizations as appropriate, in the design, implementation, and evaluation of vocational and technical education programs authorized under this title, including establishing effective programs and procedures to enable informed and effective participation in such programs;	“(1) to involve parents, businesses, and labor organizations as appropriate, in the design, implementation, and evaluation of career and technical education programs authorized under this title, including establishing effective programs and procedures to enable informed and effective participation in such programs;	<b>No change.</b>
“(2) to provide career guidance and academic counseling for students participating in vocational and technical education programs;	“(2) to provide career guidance and academic counseling, which may include information described in section 118, for students participating in career and technical education programs, that--  “(A) improves graduation rates and provides information on postsecondary and career options, including baccalaureate degree programs, for secondary students, which activities may include the use of graduation and career plans; and  “(B) provides assistance for postsecondary students, including for adult students who are changing careers or updating skills;	<b>Adds more specificity to the counseling provisions, including graduation rates, informing students of postsecondary and career options.</b>
“(3) to provide work-related experience, such as internships,	“(3) for local education and business (including small	<b>Business education partnerships should focus on substantive issues and result in real world opportunities for students, as well as</b>

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cooperative education, school-based enterprises, entrepreneurship, and job shadowing that are related to vocational and technical education programs;	business) partnerships, including for--  `` (A) work-related experiences for students, such as internships, cooperative education, school-based enterprises, entrepreneurship, and job shadowing that are related to career and technical education programs;  `` (B) adjunct faculty arrangements for qualified industry professionals; and  `` (C) industry experience for teachers and faculty;	<b>meaningful ways for the current workforce to be engaged in the school (via adjunct faculty programs, mentoring, etc.)</b>
“(4) to provide programs for special populations;	“(4) to provide programs for special populations;	<b>No change.</b>
“(5) for local education and business partnerships;		<b>Combined with permissible activity #3.</b>
“(6) to assist vocational and technical student organizations;	“(5) to assist career and technical student organizations;	<b>No change.</b>
“(7) for mentoring and support services;	“(6) for mentoring and support services;	<b>No change.</b>
“(8) for leasing, purchasing, upgrading or adapting equipment, including instructional aides;	“(7) for leasing, purchasing, upgrading or adapting equipment, including instructional aids and publications (including support for library resources) designed to strengthen and support academic and technical skill achievement;	<b>Purchase of equipment, etc. must be aligned with and strengthen academic and technical achievement.</b>
“(9) for teacher preparation	“(8) for teacher preparation	<b>No substantive change.</b>

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programs that assist individuals who are interested in becoming vocational and technical education instructors, including individuals with experience in business and industry;	programs that address the integration of academic and career and technical education and that assist individuals who are interested in becoming career and technical education teachers and faculty, including individuals with experience in business and industry;	
	“(9) to develop and expand postsecondary program offerings at times and in formats that are accessible for students, including working students, including through the use of distance education;	<b>A new allowable use of funds to allow for postsecondary CTE programs for working students and distance education.</b>
	“(10) to develop initiatives that facilitate the transition of sub baccalaureate career and technical education students into baccalaureate degree programs, including--  “(A) articulation agreements between sub-baccalaureate degree granting career and technical education postsecondary educational institutions and baccalaureate degree granting postsecondary educational institutions;  “(B) postsecondary dual and	<b>This is a new addition to expand the focus of transition from secondary to 2 year programs to also include the transition from sub baccalaureate CTE to baccalaureate degree programs.</b>  <b>Myriad ways to achieve this new focus are allowed:</b> <ul style="list-style-type: none"> <li>• statewide articulation agreements;</li> <li>• dual and concurrent enrollment programs; and</li> <li>• academic and financial aid counseling.</li> </ul>

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	<p>concurrent enrollment programs;</p> <p>“(C) academic and financial aid counseling for sub-baccalaureate career and technical education students that informs the students of the opportunities for pursuing a baccalaureate degree and advises the students on how to meet any transfer requirements; and</p> <p>“(D) other initiatives--</p> <p>“(i) to encourage the pursuit of a baccalaureate degree; and</p> <p>“(ii) to overcome barriers to enrollment in and completion of baccalaureate degree programs, including geographic and other barriers affecting rural students and special populations;</p>	
	“(11) to provide activities to support entrepreneurship education and training;	<b>A new allowable use of funds to provide support for entrepreneurship education and training.</b>
“(10) for improving or developing new vocational and technical education courses;	“(12) for improving or developing new career and technical education courses, including the development of new proposed career and technical programs of study for consideration by the eligible agency and courses that prepare individuals academically and technically for high skill, high	<b>The focus on improving CTE specifically calls attention to several prominent initiatives including career clusters, career academies, and distance education and encourages that these initiatives focus on preparing students for high skill, high wage or high demand occupations.</b>



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	wage, or high demand occupations and dual or concurrent enrollment opportunities by which career and technical education students at the secondary level could obtain postsecondary credit to count towards an associate or baccalaureate degree;	
	“(13) to develop and support small, personalized career-themed learning communities;	<b>This is a new allowable use of funds that supports smaller learning communities that are career themed.</b>
“(11) to provide support for family and consumer sciences programs;	“(14) to provide support for family and consumer sciences programs;	<b>No change.</b>
“(12) to provide vocational and technical education programs for adults and school dropouts to complete their secondary school education;	“(15) to provide career and technical education programs for adults and school dropouts to complete the secondary school education, or upgrade the technical skills, of the adults and school dropouts;	<b>Retains the allowance to use Perkins funds on drop out programs but adds a new requirement for coordination with the Adult Ed programs.</b>
“(13) to provide assistance to students who have participated in services and activities under this title in finding an appropriate job and continuing their education;	“(16) to provide assistance to individuals who have participated in services and activities under this Act in continuing their education or training or finding an appropriate job, such as through referral to the system established under section 121 of Public Law 105-220 (29 U.S.C. 2801 et seq.);	<b>Retains the allowance to use Perkins funds for adult CTE programs, but encourages coordination of these programs with Workforce Investment Act one-stop centers.</b>
“(14) to support nontraditional training and employment activities; and	“(17) to support training and activities (such as mentoring and outreach) in non-traditional fields;	<b>No change.</b>
	“(18) to provide support for	<b>A new allowable use of funds that draws focus on auto tech</b>

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	training programs in automotive technologies;	<b>programs.</b>
	<p>“(19) to pool a portion of such funds with a portion of funds available to not less than 1 other eligible recipient for innovative initiatives, which may include--</p> <p>“(A) improving the initial preparation and professional development of career and technical education teachers, faculty, administrators, and counselors;</p> <p>“(B) establishing, enhancing, or supporting systems for--</p> <p>“(i) accountability data collection under this Act; or</p> <p>“(ii) reporting data under this Act;</p> <p>“(C) implementing career and technical programs of study described in section 122(c)(1)(A); or</p> <p>“(D) implementing technical assessments; and</p>	<p><b>This new allowable use of funds allows eligible recipients to form consortia to maximize investments and encourage innovation. Recommended areas of focus include teacher prep, professional development, accountability, programs of study and technical assistance.</b></p>
“(15) to support other vocational and technical education activities that are consistent with the purpose	“(20) to support other career and technical education activities that are consistent with the purpose of	<b>No change.</b>

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of this Act.	this Act.	
“(d) <b>ADMINISTRATIVE COSTS.</b> —Each eligible recipient receiving funds under this part shall not use more than 5 percent of the funds for administrative costs associated with the administration of activities assisted under this section.	“(d) <i>Administrative Costs.</i> --Each eligible recipient receiving funds under this part shall not use more than 5 percent of the funds for administrative costs associated with the administration of activities assisted under this section.	<b>No change.</b>  <b>5% admin cap at local level.</b>
“ <b>TITLE II—TECH-PREP EDUCATION</b> “ <b>SEC. 201. SHORT TITLE.</b> “This title may be cited as the ‘Tech-Prep Education Act’.	“TITLE II--TECH PREP EDUCATION	
“ <b>SEC. 202. DEFINITIONS.</b> “(a) In this title: “(1) <b>ARTICULATION AGREEMENT.</b> —The term ‘articulation agreement’ means a written commitment to a program designed to provide students with a nonduplicative sequence of progressive achievement leading to degrees or certificates in a tech-prep education program.		<b>The definition was moved to section 3.</b>  <b>The new definition increases the expectations for what an articulation agreement is by adding in the annual review, noting the agreement must be in writing and requiring approval by the lead secondary and postsecondary administrators. This sign off is intended to call attention to the policy issues that prevent smooth transition among the learner levels.</b>  <b>The articulation agreement must lead to the attainment of a technical skill proficiency, a credential, a certificate, or a degree as well as incorporate credit transfer among the institutions.</b>
“(2) <b>COMMUNITY COLLEGE.</b> —The term ‘community college’—		<b>Definition eliminated as it was not used in the Act.</b>

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<p>“(A) means an institution of higher education, as defined in section 101 of the Higher Education Act of 1965, that provides not less than a 2-year program that is acceptable for full credit toward a bachelor’s degree; and</p> <p>“(B) includes tribally controlled colleges or universities.</p>		
<p><b>“(3) TECH-PREP PROGRAM.</b>—The term ‘tech-prep program’ means a program of study that—</p> <p>“(A) combines at a minimum 2 years of secondary education (as determined under State law) with a minimum of 2 years of postsecondary education in a nonduplicative, sequential course of study;</p> <p>“(B) integrates academic, and vocational and technical, instruction, and utilizes work-based and worksite learning where appropriate and available;</p> <p>“(C) provides technical preparation in a career field such as engineering technology, applied science, a mechanical, industrial, or practical art or trade, agriculture, health occupations, business, or</p>		<p><b>Definition of Tech Prep is now incorporated into section 203 (C) – contents of a tech prep program.</b></p>

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<p>applied economics;</p> <p>“(D) builds student competence in mathematics, science, reading, writing, communications, economics, and workplace skills through applied, contextual academics, and integrated instruction, in a coherent sequence of courses;</p> <p>“(E) leads to an associate or a baccalaureate degree or a postsecondary certificate in a specific career field; and</p> <p>“(F) leads to placement in appropriate employment or to further education.</p>		
<p><b>“SEC. 203. STATE ALLOTMENT AND APPLICATION.</b></p> <p>“(a) IN GENERAL.—For any fiscal year, the Secretary shall allot the amount made available under section 206 among the States in the same manner as funds are allotted to States under paragraph (2) of section 111(a).</p>	<p><b>“SEC. 201. STATE ALLOTMENT AND APPLICATION.</b></p> <p>“(a) <i>In General.</i>--For any fiscal year, the Secretary shall allot the amount made available under section 206 among the States in the same manner as funds are allotted to States under paragraph (2) of section 111(a).</p>	<p><b>No change.</b></p>
<p>“(b) PAYMENTS TO ELIGIBLE AGENCIES.—The Secretary shall make a payment in the amount of a State’s allotment under subsection</p>	<p>“(b) <i>Payments to Eligible Agencies.</i>--The Secretary shall make a payment in the amount of a State's allotment under</p>	<p><b>No change.</b></p>

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(a) to the eligible agency that serves the State and has an application approved under subsection (c).	subsection (a) to the eligible agency that serves the State and has an application approved under subsection (c).	
<p>“(c) STATE APPLICATION.— Each eligible agency desiring assistance under this title shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require.</p>	<p>“(c) <i>State Application.</i>--Each eligible agency desiring an allotment under this title shall submit, as part of its State plan under section 122, an application that--</p> <p>“(1) describes how activities under this title will be coordinated, to the extent practicable, with activities described in the State plan submitted under section 122; and</p> <p>“(2) contains such information as the Secretary may require.</p>	<p><b>There is an expectation that Title I and Title II will be far more collaborative and coordinated than has been the case in the past. The State Tech Prep application must describe how Tech Prep activities supported in Title II will be coordinated with activities supported by the Basic State Grant. A similar provision exists in Title I.</b></p>
	<p><b>“SEC. 202. CONSOLIDATION OF FUNDS.</b></p> <p>“(a) <i>In General.</i>--An eligible agency receiving an allotment under sections 111 and 201 may choose to consolidate all, or a portion of, funds received under section 201 with funds received under section 111 in order to carry out the activities described in the State plan submitted under section 122.</p>	<p><b>This is a new provision.</b></p> <p><b>Eligible agencies have the option of merging their funding streams for Title I and Title II.</b></p> <p><b>If an eligible agency chooses to merge tech prep funding, tech prep funds will be considered as part of the basic state grant and will follow the same distribution formulas.</b></p>

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	<p>“(b) <i>Notification Requirement.</i>--Each eligible agency that chooses to consolidate funds under this section shall notify the Secretary, in the State plan submitted under section 122, of the eligible agency's decision to consolidate funds under this section.</p> <p>“(c) <i>Treatment of Consolidated Funds.</i>--Funds consolidated under this section shall be considered as funds allotted under section 111 and shall be distributed in accordance with section 112.</p>	
<p><b>“(a) GRANT PROGRAM AUTHORIZED.—</b> ,</p> <p><b>“(1) IN GENERAL.—</b>From amounts made available to each eligible agency under section 203, the eligible agency, in accordance with the provisions of this title, shall award grants, on a competitive basis or on the basis of a formula determined by the eligible agency, for tech-prep education programs described in subsection (c). The grants shall be awarded to consortia between or among—</p>	<p><b>“SEC. 203. TECH PREP PROGRAM.</b></p> <p>“(a) <i>Grant Program Authorized.</i>--</p> <p>“(1) <b>IN GENERAL.</b>--From amounts made available to each eligible agency under section 201, the eligible agency, in accordance with the provisions of this title, shall award grants, on a competitive basis or on the basis of a formula determined by the eligible agency, for tech prep programs described in subsection (c). The grants shall be awarded to consortia between or among--</p>	<p><b>No change.</b></p>
<p>“(A) a local educational agency,</p>	<p>“(A) a local educational agency,</p>	<p><b>Educational service agency is added to list of eligible secondary</b></p>

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an intermediate educational agency or area vocational and technical education school serving secondary school students, or a secondary school funded by the Bureau of Indian Affairs; and	an intermediate educational agency, educational service agency, or area career and technical education school, serving secondary school students, or a secondary school funded by the Bureau of Indian Affairs; and	<b>consortium partners.</b>
<p>“(B)(i) a nonprofit institution of higher education that offers—</p> <p>“(I) a 2-year associate degree program, or a 2-year certificate program, and is qualified as institutions of higher education pursuant to section 102 of the Higher Education Act of 1965, including an institution receiving assistance under the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1801 et seq.) and a tribally controlled postsecondary vocational and technical institution; or</p> <p>“(II) a 2-year apprenticeship program that follows secondary instruction, if such nonprofit institution of higher education is not prohibited from receiving assistance under part B of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq.) pursuant to the provisions of section 435(a)(3) of such Act (20</p>	<p>“(B)(i) a nonprofit institution of higher education that--</p> <p>“(I)(aa) offers a 2-year associate degree program or a 2-year certificate program; and</p> <p>“(bb) is qualified as an institution of higher education pursuant to section 102 of the Higher Education Act of 1965, including--</p> <p>“(AA) an institution receiving assistance under the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1801 et seq.); and</p> <p>“(BB) a tribally controlled postsecondary career and technical institution; or</p> <p>“(II) offers a 2-year apprenticeship program that follows secondary education instruction, if such nonprofit</p>	<b>No change.</b>



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<p>U.S.C. 1083(a)); or</p> <p>“(ii) a proprietary institution of higher education that offers a 2-year associate degree program and is qualified as an institution of higher education pursuant to section 102 of the Higher Education Act of 1965, if such proprietary institution of higher education is not subject to a default management plan required by the Secretary.</p>	<p>institution of higher education is not prohibited from receiving assistance under part B of title IV of the Higher Education Act of 1965 pursuant to the provisions of section 435(a)(2) of such Act; or</p> <p>“(ii) a proprietary institution of higher education that offers a 2-year associate degree program and is qualified as an institution of higher education pursuant to section 102 of the Higher Education Act of 1965, if such proprietary institution of higher education is not subject to a default management plan required by the Secretary.</p>	
<p>“(2) SPECIAL RULE.—In addition, a consortium described in paragraph (1) may include 1 or more—</p> <p>“(A) institutions of higher education that award a baccalaureate degree; and</p> <p>“(B) employer or labor organizations.</p>	<p>“(2) <b>SPECIAL RULE.</b>--In addition, a consortium described in paragraph (1) may include 1 or more--</p> <p>“(A) institutions of higher education that award a baccalaureate degree; and</p> <p>“(B) employers (including small businesses), business intermediaries, or labor organizations.</p>	<p><b>The list of organizations that can participate in consortia is expanded to include business intermediaries. Special focus is placed on small businesses as consortium members.</b></p>
<p>“(b) <b>DURATION.</b>—Each grant recipient shall use amounts provided under the grant to</p>	<p>“(b) <i>Duration.</i>--Each consortium receiving a grant under this title shall use amounts provided under</p>	<p><b>No change.</b></p>

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develop and operate a 4- or 6-year tech-prep education program described in subsection (c).	the grant to develop and operate a 4- or 6-year tech prep program described in subsection (c).	
<p><b>“(c) CONTENTS OF TECH-PREP PROGRAM.—</b>Each tech-prep program shall—</p> <p>“(1) be carried out under an articulation agreement between the participants in the consortium;</p>	<p><i>“(c) Contents of Tech Prep Program.--</i>Each tech prep program shall--</p> <p>“(1) be carried out under an articulation agreement between the participants in the consortium;</p>	<p><b>No change except that the new definition of an articulation agreement applies.</b></p>
<p>“(2) consist of at least 2 years of secondary school preceding graduation and 2 years or more of higher education, or an apprenticeship program of at least 2 years following secondary instruction, with a common core of required proficiency in mathematics, science, reading, writing, communications, and technologies designed to lead to an associate’s degree or a postsecondary certificate in a specific career field;</p>	<p>“(2) consist of a program of study that--</p> <p>“(A) combines--</p> <p>“(i) a minimum of 2 years of secondary education (as determined under State law); with</p> <p>“(ii)(I) a minimum of 2 years of postsecondary education in a nonduplicative, sequential course of study; or</p> <p>“(II) an apprenticeship program of not less than 2 years following secondary education instruction; and</p> <p>“(B) integrates academic and career and technical education instruction, and utilizes work-based and worksite learning experiences where appropriate and</p>	<p><b>The tech prep program of study built on the Perkins III definition of a non duplicative sequence of instruction that includes a minimum of 2 years of secondary education and either 2 years of postsecondary education or a 2 year apprenticeship program.</b></p> <p><b>The following additional requirements for a tech prep program of study have been added:</b></p> <ul style="list-style-type: none"> <li>• <b>Integrates academic and CTE instruction and utilizes work-based and worksite learning experiences;</b></li> <li>• <b>Provides technical preparation for high skill, high wage, or high demand occupations;</b></li> <li>• <b>Builds student competence in technical skills and core academic subjects;</b></li> <li>• <b>Leads to a technical proficiency, industry-recognized credential, certification, or degree;</b></li> <li>• <b>Placement in high skill, high wage, or high demand employment or further education; and</b></li> <li>• <b>Utilizes CTE programs of study (as developed in Title I).</b></li> </ul>

1998	2006	Differences/Comments
	<p>available;</p> <p>“(C) provides technical preparation in a career field, including high skill, high wage, or high demand occupations;</p> <p>“(D) builds student competence in technical skills and in core academic subjects (as defined in section 9101 of the Elementary and Secondary Education Act of 1965), as appropriate, through applied, contextual, and integrated instruction, in a coherent sequence of courses;</p> <p>“(E) leads to technical skill proficiency, an industry-recognized credential, a certificate, or a degree, in a specific career field;</p> <p>“(F) leads to placement in high skill or high wage employment, or to further education; and</p> <p>“(G) utilizes career and technical education programs of study, to the extent practicable;</p>	
“(3) include the development of tech-prep programs for both secondary and postsecondary, including consortium, participants	“(3) include the development of tech prep programs for secondary education and postsecondary	

1998	2006	Differences/Comments
<p>in the consortium that—</p> <p>“(A) meets academic standards developed by the State;</p> <p>“(B) links secondary schools and 2-year postsecondary institutions, and if possible and practicable, 4-year institutions of higher education through nonduplicative sequences of courses in career fields, including the investigation of opportunities for tech-prep secondary students to enroll concurrently in secondary and postsecondary coursework;</p> <p>“(C) uses, if appropriate and available, work-based or worksite learning in conjunction with business and all aspects of an industry; and</p> <p>“(D) uses educational technology and distance learning, as appropriate, to involve all the consortium partners more fully in the development and operation of programs;</p>	<p>education that--</p> <p>“(A) meet academic standards developed by the State;</p> <p>“(B) link secondary schools and 2-year postsecondary institutions, and if possible and practicable, 4-year institutions of higher education, through--</p> <p>“(i) nonduplicative sequences of courses in career fields;</p> <p>“(ii) the use of articulation agreements; and</p> <p>“(iii) the investigation of opportunities for tech prep secondary education students to enroll concurrently in secondary education and postsecondary education coursework;</p> <p>“(C) use, if appropriate and available, work-based or worksite learning experiences in conjunction with business and all aspects of an industry; and</p> <p>“(D) use educational technology and distance learning, as appropriate, to involve all the participants in the consortium</p>	<p><b>Adds the requirement of “the use of articulation agreements” when developing tech prep programs.</b></p> <p><b>Also adds a provision to encourage concurrent enrollment in secondary and postsecondary coursework.</b></p>

1998	2006	Differences/Comments
	more fully in the development and operation of programs;	
“(4) include in-service training for teachers that—  “(A) is designed to train vocational and technical teachers to effectively implement tech-prep programs;	“(4) include in-service professional development for teachers, faculty, and administrators that--  “(A) supports effective implementation of tech prep programs;	<b>No change.</b>
“(B) provides for joint training for teachers in the tech-prep consortium;	“(B) supports joint training in the tech prep consortium;	<b>No change.</b>
“(C) is designed to ensure that teachers and administrators stay current with the needs, expectations, and methods of business and all aspects of an industry;	“(C) supports the needs, expectations, and methods of business and all aspects of an industry;	<b>No change.</b>
“(D) focuses on training postsecondary education faculty in the use of contextual and applied curricula and instruction; and	“(D) supports the use of contextual and applied curricula, instruction, and assessment;	<b>No change.</b>
“(E) provides training in the use and application of technology;	“(E) supports the use and application of technology; and	<b>No change.</b>
	“(F) assists in accessing and utilizing data, information available pursuant to section 118, and information on student achievement, including assessments;	<b>New requirement to assist consortium members with accessing data and information available from Section 118 related to student achievement and assessments.</b>
“(5) include training programs for counselors designed to enable counselors to more effectively—	“(5) include professional development programs for counselors designed to enable	<b>No change.</b>

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“(A) provide information to students regarding tech-prep education programs;	counselors to more effectively--  “(A) provide information to students regarding tech prep programs;	
“(B) support student progress in completing tech-prep programs;	“(B) support student progress in completing tech prep programs, which may include the use of graduation and career plans	<b>Suggests the use of graduation and career plans.</b>
“(C) provide information on related employment opportunities;	“(C) provide information on related employment opportunities;	<b>No change.</b>
“(D) ensure that such students are placed in appropriate employment; and	“(D) ensure that students are placed in appropriate employment or further postsecondary education;	<b>Adds placement in postsecondary education as an outcome of a tech prep program.</b>
“(E) stay current with the needs, expectations, and methods of business and all aspects of an industry;	“(E) stay current with the needs, expectations, and methods of business and all aspects of an industry; and	<b>No change.</b>
	“(F) provide comprehensive career guidance and academic counseling to participating students, including special populations;	<b>Tech prep consortia have added to their responsibilities the provision of career and academic counseling to students, including special populations.</b>
“(6) provide equal access, to the full range of technical preparation programs, to individuals who are members of special populations, including the development of tech-prep program services appropriate to the needs of special populations; and	“(6) provide equal access, to the full range of technical preparation programs (including pre-apprenticeship programs), to individuals who are members of special populations, including the development of tech prep program services appropriate to the needs of special populations;	<b>Adds pre-apprenticeship programs as allowable components of a tech prep program.</b>
“(7) provide for preparatory	“(7) provide for preparatory	<b>No change.</b>

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services that assist participants in tech-prep programs.	services that assist participants in tech prep programs; and	
	“(8) coordinate with activities conducted under title I.	<b>Additional new provision that reinforces the necessity to coordinate with the activities supported by the Basic State Grant (Title I).</b>
“(d) <b>ADDITIONAL AUTHORIZED ACTIVITIES.</b> — Each tech-prep program may— “(1) provide for the acquisition of tech-prep program equipment;	“(d) <i>Additional Authorized Activities.</i> --Each tech prep program may--  “(1) provide for the acquisition of tech prep program equipment;	<b>No change.</b>
“(2) acquire technical assistance from State or local entities that have designed, established, and operated tech-prep programs that have effectively used educational technology and distance learning in the delivery of curricula and services and in the articulation process; and	“(2) acquire technical assistance from State or local entities that have designed, established, and operated tech prep programs that have effectively used educational technology and distance learning in the delivery of curricula and services;	<b>No substantive change.</b>
“(3) establish articulation agreements with institutions of higher education, labor organizations, or businesses located inside or outside the State and served by the consortium, especially with regard to using distance learning and educational technology to provide for the delivery of services and programs.	“(3) establish articulation agreements with institutions of higher education, labor organizations, or businesses located inside or outside the State and served by the consortium, especially with regard to using distance learning and educational technology to provide for the delivery of services and programs;	<b>No change.</b>
	“(4) improve career guidance and academic counseling for participating students through the development and implementation of graduation and career plans;	<b>A new permissible use of funds: To provide career guidance and academic counseling for the development and implementation of graduation and career plans.</b>

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	and	
	“(5) develop curriculum that supports effective transitions between secondary and postsecondary career and technical education programs.	<b>A new permissible use of funds: Develop curriculum that supports effective transitions among the learner levels.</b>
	“(e) <i>Indicators of Performance and Accountability.</i> --  “(1) <b>IN GENERAL.</b> --Each consortium shall establish and report to the eligible agency indicators of performance for each tech prep program for which the consortium receives a grant under this title. The indicators of performance shall include the following:	<b>This entire section on accountability for Tech Prep is new.</b>  <b>Each consortium will be required to report to the eligible agency on the indicators of performance for each tech prep program receiving funds under this title.</b>  <b>The eligible agency has broad latitude in determining how the levels of performance are determined.</b>
	“(A) The number of secondary education tech prep students and postsecondary education tech prep students served.  “(B) The number and percent of secondary education tech prep students enrolled in the tech prep program who--  “(i) enroll in postsecondary education;  “(ii) enroll in postsecondary education in the same field or major as the secondary education	<b>There are twenty new tech prep performance indicators; many of the indicators require both numbers and percentages.</b>



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	<p>tech prep students were enrolled at the secondary level;</p> <p>``(iii) complete a State or industry-recognized certification or licensure;</p> <p>``(iv) successfully complete, as a secondary school student, courses that award postsecondary credit at the secondary level; and</p> <p>``(v) enroll in remedial mathematics, writing, or reading courses upon entering postsecondary education.</p> <p>``(C) The number and percent of postsecondary education tech prep students who--</p> <p>``(i) are placed in a related field of employment not later than 12 months after graduation from the tech prep program;</p> <p>``(ii) complete a State or industry-recognized certification or licensure;</p> <p>``(iii) complete a 2-year degree or certificate program within the normal time for completion of</p>	

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	<p>such program; and</p> <p>“(iv) complete a baccalaureate degree program within the normal time for completion of such program.</p>	
	<p>“(2) <b>NUMBER AND PERCENT.</b>--For purposes of subparagraphs (B) and (C) of paragraph (1), the numbers and percentages shall be determined separately with respect to each clause of each such subparagraph.</p>	<p><b>Each negotiated level of performance for the above indicators will be reported separately as a number and percent.</b></p>
<p><b>“SEC. 205. CONSORTIUM APPLICATIONS.</b></p> <p><b>“(a) IN GENERAL.</b>—Each consortium that desires to receive a grant under this title shall submit an application to the eligible agency at such time and in such manner as the eligible agency shall prescribe</p>	<p><b>“(a) <i>In General.</i></b>--Each consortium that desires to receive a grant under this title shall submit an application to the eligible agency at such time and in such manner as the eligible agency shall require.</p>	<p><b>No change.</b></p>
<p><b>“(b) PLAN.</b>—Each application submitted under this section shall contain a 5-year plan for the development and implementation of tech-prep programs under this title, which plan shall be reviewed after the second year of the plan.</p>	<p><b>“(b) <i>Plan.</i></b>--Each application submitted under this section shall contain a 6-year plan for the development and implementation of tech prep programs under this title, which plan shall be reviewed after the second year of the plan.</p>	<p><b>No change.</b></p> <p><b>The eligible agencies have broad discretion over defining the required elements of a tech prep application.</b></p>
<p><b>“(c) APPROVAL.</b>—The eligible agency shall approve applications based on the potential of the activities described in the</p>	<p><b>“(c) <i>Approval.</i></b>--The eligible agency shall approve applications under this title based on the potential of the activities</p>	<p><b>No change.</b></p>

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application to create an effective tech-prep program.	described in the application to create an effective tech prep program.	
<p><b>“(d) SPECIAL CONSIDERATION.—</b>The eligible agency, as appropriate, shall give special consideration to applications that—</p> <p>“(1) provide for effective employment placement activities or the transfer of students to baccalaureate degree programs;</p>	<p>“(d) <i>Special Consideration.</i>--The eligible agency, as appropriate, shall give special consideration to applications that--</p> <p>“(1) provide for effective employment placement activities or the transfer of students to baccalaureate or advanced degree programs;</p>	<b>Expands the special considerations to include both BA and advanced degrees.</b>
“(2) are developed in consultation with business, industry, institutions of higher education, and labor organizations;	“(2) are developed in consultation with business, industry, institutions of higher education, and labor organizations;	<b>No change.</b>
“(3) address effectively the issues of school dropout prevention and reentry and the needs of special populations;	“(3) address effectively the issues of school dropout prevention and reentry, and the needs of special populations;	<b>No change.</b>
“(4) provide education and training in areas or skills in which there are significant workforce shortages, including the information technology industry; and	“(4) provide education and training in an area or skill, including an emerging technology, in which there is a significant workforce shortage based on the data provided by the eligible entity in the State under section 118;	<b>Special consideration will be given to tech prep programs that address occupational areas where there is a labor market demand. The data for this determination will be provided by the eligible entity selected under Section 118.</b>
“(5) demonstrate how tech-prep programs will help students meet high academic and employability competencies.	“(5) demonstrate how tech prep programs will help students meet high academic and employability competencies; and	<b>No change.</b>
	“(6) demonstrate success in, or provide assurances of,	<b>A new provision that again reinforces the required coordination between the basic state grant (Title I) and tech prep (Title II).</b>

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	coordination and integration with eligible recipients described in part C of title I.	
	<p>“(e) <i>Performance Levels</i>.--</p> <p>“(1) <b>IN GENERAL</b>.--Each consortium receiving a grant under this title shall enter into an agreement with the eligible agency to meet a minimum level of performance for each of the performance indicators described in sections 113(b) and 203(e).</p>	<p><b>Consortia must meet minimum levels of performance for each accountability measure. The eligible agency has broad discretion in defining the process for setting performance targets.</b></p>
	<p>“(2) <b>RESUBMISSION OF APPLICATION; TERMINATION OF FUNDS</b>.-- An eligible agency--</p> <p>“(A) shall require consortia that do not meet the performance levels described in paragraph (1) for 3 consecutive years to resubmit an application to the eligible agency for a tech prep program grant; and</p> <p>“(B) may choose to terminate the funding for the tech prep program for a consortium that does not meet the performance levels described in paragraph (1) for 3 consecutive years, including</p>	<p><b>An eligible agency can require consortia to resubmit an application or may choose to terminate funding for a consortium that does not meet the negotiated performance levels for three consecutive years.</b></p>

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	when the grants are made on the basis of a formula determined by the eligible agency.	
“(e) <b>EQUITABLE DISTRIBUTION OF ASSISTANCE.</b> —In awarding grants under this title, the eligible agency shall ensure an equitable distribution of assistance between urban and rural consortium participants.	“(f) <i>Equitable Distribution of Assistance.</i> --In awarding grants under this title, the eligible agency shall ensure an equitable distribution of assistance between or among urban and rural participants in the consortium.	<b>No change.</b>
<b>“SEC. 206. REPORT.</b>  “Each eligible agency that receives a grant under this title annually shall prepare and submit to the Secretary a report on the effectiveness of the tech-prep programs assisted under this title, including a description of how grants were awarded within the State.	<b>“SEC. 205. REPORT.</b>  “Each eligible agency that receives an allotment under this title annually shall prepare and submit to the Secretary a report on the effectiveness of the tech prep programs assisted under this title, including a description of how grants were awarded within the State.	<b>No change.</b>
<b>“SEC. 207. DEMONSTRATION PROGRAM.</b> <b>“(a) DEMONSTRATION PROGRAM AUTHORIZED.</b> —From funds appropriated under subsection (e) for a fiscal year, the Secretary shall award grants to consortia described in section 204(a) to enable the consortia to carry out tech-prep education programs.		<b>Demonstration program eliminated.</b>
<b>“(b) PROGRAM</b>		<b>Demonstration program eliminated.</b>

1998	2006	Differences/Comments
<p><b>CONTENTS.</b>—Each tech-prep program referred to in subsection (a)—</p> <p>“(1) shall—</p> <p>“(A) involve the location of a secondary school on the site of a community college;</p> <p>“(B) involve a business as a member of the consortium; and</p> <p>“(C) require the voluntary participation of secondary school students in the tech-prep education program; and</p> <p>“(2) may provide summer internships at a business for students or teachers.</p>		
<p><b>“(c) APPLICATION.</b>—Each consortium desiring a grant under this section shall submit an application to the Secretary at such time, in such manner and accompanied by such information as the Secretary may require.</p>		<p><b>Demonstration program eliminated.</b></p>
<p><b>“(d) APPLICABILITY.</b>—The provisions of sections 203, 204, 205, and 206 shall not apply to this section, except that—</p> <p>“(1) the provisions of section 204(a) shall apply for purposes of describing consortia eligible to receive assistance under this section;</p> <p>“(2) each tech-prep education program assisted under this section shall meet the requirements of</p>		<p><b>Demonstration program eliminated.</b></p>

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<p>paragraphs (1), (2), (3)(A), (3)(B), (3)(C), (3)(D), (4), (5), (6), and (7) of section 204(c), except that such paragraph (3)(B) shall be applied by striking</p> <p>‘, and if possible and practicable, 4-year institutions of higher education through nonduplicative sequences of courses in career fields’; and</p> <p>“(3) in awarding grants under this section, the Secretary shall give special consideration to consortia submitting applications under subsection (c) that meet the requirements of paragraphs (1), (3), (4), and (5) of section 205(d), except that such paragraph (1) shall be applied by striking ‘or the transfer of students to baccalaureate degree programs’.</p>		
<p><b>“(e) AUTHORIZATION OF APPROPRIATIONS.</b>—There is authorized to be appropriated to carry out this section \$25,000,000 for fiscal year 1999 and each of the 4 succeeding fiscal years.</p>		<p><b>Demonstration program eliminated.</b></p>
<p><b>“SEC. 208. AUTHORIZATION OF APPROPRIATIONS.</b></p> <p>“There is authorized to be appropriated to carry out this title (other than section 207) such sums as may be necessary for fiscal year 1999 and each of the 4 succeeding</p>	<p><b>“SEC. 206. AUTHORIZATION OF APPROPRIATIONS.</b></p> <p>“There are authorized to be appropriated to carry out this title such sums as may be necessary for fiscal year 2007 and each of the 5</p>	<p><b>Authorizes appropriations for 2007-2012. This is an extension of the authorization cycle by one year.</b></p>

1998	2006	Differences/Comments
fiscal years.	succeeding fiscal years.	
<p><b>“TITLE III - GENERAL PROVISIONS</b></p> <p><b>“PART A—FEDERAL ADMINISTRATIVE PROVISIONS</b></p> <p><b>“SEC. 311. FISCAL REQUIREMENTS.</b></p> <p><b>“(a) SUPPLEMENT NOT SUPPLANT.—</b>Funds made available under this Act for vocational and technical education activities shall supplement, and shall not supplant, non-Federal funds expended to carry out vocational and technical education activities and tech-prep activities.</p>	<p><b>“TITLE III--GENERAL PROVISIONS</b></p> <p><b>“PART A--FEDERAL ADMINISTRATIVE PROVISIONS</b></p> <p><b>“SEC. 311. FISCAL REQUIREMENTS.</b></p> <p><i>“(a) Supplement Not Supplant.—</i>Funds made available under this Act for career and technical education activities shall supplement, and shall not supplant, non-Federal funds expended to carry out career and technical education activities and tech prep program activities.</p>	No change.
<p><b>“(b) MAINTENANCE OF EFFORT.—</b></p> <p><b>“(1) DETERMINATION.—</b></p> <p><b>“(A) IN GENERAL.—</b>Except as provided in subparagraphs (B) and (C), no payments shall be made under this Act for any fiscal year to a State for vocational and technical education programs or tech-prep programs unless the Secretary determines that the fiscal effort per student or the aggregate</p>	<p><i>“(b) Maintenance of Effort.--</i></p> <p><b>“(1) DETERMINATION.--</b></p> <p><b>“(A) IN GENERAL.--</b>Except as provided in subparagraphs (B) and (C), no payments shall be made under this Act for any fiscal year to a State for career and technical education programs or tech prep programs unless the Secretary determines that the fiscal effort per student or the aggregate expenditures of such</p>	No change.



1998	2006	Differences/Comments
<p>expenditures of such State for vocational and technical education programs for the fiscal year preceding the fiscal year for which the determination is made, equaled or exceeded such effort or expenditures for vocational and technical education programs, for the second fiscal year preceding the fiscal year for which the determination is made.</p>	<p>State for career and technical education programs for the fiscal year preceding the fiscal year for which the determination is made, equaled or exceeded such effort or expenditures for career and technical education programs for the second fiscal year preceding the fiscal year for which the determination is made.</p>	
<p><b>“(B) COMPUTATION.</b>—In computing the fiscal effort or aggregate expenditures pursuant to subparagraph (A), the Secretary shall exclude capital expenditures, special onetime project costs, and the cost of pilot programs.</p>	<p><b>“(B) COMPUTATION.</b>--In computing the fiscal effort or aggregate expenditures pursuant to subparagraph (A), the Secretary shall exclude capital expenditures, special 1-time project costs, and the cost of pilot programs.</p>	<p><b>No change.</b></p>
<p><b>“(C) DECREASE IN FEDERAL SUPPORT.</b>—If the amount made available for vocational and technical education programs under this Act for a fiscal year is less than the amount made available for vocational and technical education programs under this Act for the preceding fiscal year, then the fiscal effort per student or the aggregate expenditures of a State required by subparagraph (B) for such preceding fiscal year shall be decreased by the same percentage as the percentage decrease in the amount so made available.</p>	<p><b>“(C) DECREASE IN FEDERAL SUPPORT.</b>--If the amount made available for career and technical education programs under this Act for a fiscal year is less than the amount made available for career and technical education programs under this Act for the preceding fiscal year, then the fiscal effort per student or the aggregate expenditures of a State required by subparagraph (A) for the preceding fiscal year shall be decreased by the same percentage as the percentage decrease in the amount so made available.</p>	<p><b>No change.</b></p>

1998	2006	Differences/Comments
<p><b>“(2) WAIVER.</b>—The Secretary may waive the requirements of this section, with respect to not more than 5 percent of expenditures by any eligible agency for 1 fiscal year only, on making a determination that such waiver would be equitable due to exceptional or uncontrollable circumstances affecting the ability of the eligible agency to meet such requirements, such as a natural disaster or an unforeseen and precipitous decline in financial resources. No level of funding permitted under such a waiver may be used as the basis for computing the fiscal effort or aggregate expenditures required under this section for years subsequent to the year covered by such waiver. The fiscal effort or aggregate expenditures for the subsequent years shall be computed on the basis of the level of funding that would, but for such waiver, have been required.</p>	<p><b>“(2) WAIVER.</b>--The Secretary may waive the requirements of this section, with respect to not more than 5 percent of expenditures by any eligible agency for 1 fiscal year only, on making a determination that such waiver would be equitable due to exceptional or uncontrollable circumstances affecting the ability of the eligible agency to meet such requirements, such as a natural disaster or an unforeseen and precipitous decline in financial resources. No level of funding permitted under such a waiver may be used as the basis for computing the fiscal effort or aggregate expenditures required under this section for years subsequent to the year covered by such waiver. The fiscal effort or aggregate expenditures for the subsequent years shall be computed on the basis of the level of funding that would, but for such waiver, have been required.</p>	<p><b>No change.</b></p>
<p><b>“SEC. 312. AUTHORITY TO MAKE PAYMENTS.</b></p> <p>“Any authority to make payments or to enter into contracts under this Act shall be available only to such extent or in such amounts as are provided in advance in</p>	<p><b>“SEC. 312. AUTHORITY TO MAKE PAYMENTS.</b></p> <p>“Any authority to make payments or to enter into contracts under this Act shall be available only to such extent or in such amounts as are provided in</p>	<p><b>No change.</b></p>

1998	2006	Differences/Comments
appropriation Acts.	advance in appropriation Acts.	
<p><b>“SEC. 313. CONSTRUCTION.</b></p> <p>“Nothing in this Act shall be construed to permit, allow, encourage, or authorize any Federal control over any aspect of a private, religious, or home school, regardless of whether a home school is treated as a private school or home school under State law. This section shall not be construed to bar students attending private, religious, or home schools from participation in programs or services under this Act.</p>	<p><b>“SEC. 313. CONSTRUCTION.</b></p> <p>“Nothing in this Act shall be construed to permit, allow, encourage, or authorize any Federal control over any aspect of a private, religious, or home school, regardless of whether a home school is treated as a private school or home school under State law. This section shall not be construed to bar students attending private, religious, or home schools from participation in programs or services under this Act.</p>	<p><b>No change.</b></p>
<p><b>“SEC. 314. VOLUNTARY SELECTION AND PARTICIPATION.</b></p> <p>“No funds made available under this Act shall be used—</p> <p>“(1) to require any secondary school student to choose or pursue a specific career path or major; and</p> <p>“(2) to mandate that any individual participate in a vocational and technical education program, including a vocational and technical education program that requires the attainment of a federally funded skill level,</p>	<p><b>“SEC. 314. VOLUNTARY SELECTION AND PARTICIPATION.</b></p> <p>“No funds made available under this Act shall be used--</p> <p>“(1) to require any secondary school student to choose or pursue a specific career path or major; or</p> <p>“(2) to mandate that any individual participate in a career and technical education program, including a career and technical education program that requires the attainment of a federally funded skill level, standard, or</p>	<p><b>No change.</b></p>

1998	2006	Differences/Comments
<p>standard, or certificate of mastery.</p> <p><b>“SEC. 315. LIMITATION FOR CERTAIN STUDENTS.</b></p> <p>“No funds received under this Act may be used to provide vocational and technical education programs to students prior to the seventh grade, except that equipment and facilities purchased with funds under this Act may be used by such students.</p>	<p>certificate of mastery.</p> <p><b>“SEC. 315. LIMITATION FOR CERTAIN STUDENTS.</b></p> <p>“No funds received under this Act may be used to provide career and technical education programs to students prior to the seventh grade, except that equipment and facilities purchased with funds under this Act may be used by such students.</p>	<p><b>No change. Perkins funds cannot be used on programs for students prior to the seventh grade.</b></p>
<p><b>“SEC. 316. FEDERAL LAWS GUARANTEEING CIVIL RIGHTS.</b></p> <p>“Nothing in this Act shall be construed to be inconsistent with applicable Federal law prohibiting discrimination on the basis of race, color, sex, national origin, age, or disability in the provision of Federal programs or services.</p>	<p><b>“SEC. 316. FEDERAL LAWS GUARANTEEING CIVIL RIGHTS.</b></p> <p>“Nothing in this Act shall be construed to be inconsistent with applicable Federal law prohibiting discrimination on the basis of race, color, sex, national origin, age, or disability in the provision of Federal programs or services.</p>	<p><b>No change.</b></p>
<p><b>“SEC. 317. AUTHORIZATION OF SECRETARY.</b></p> <p>“For the purposes of increasing and expanding the use of technology in vocational and technical education instruction, including the training of vocational and technical education personnel as provided in this Act, the Secretary is authorized to receive</p>		<p><b>Section eliminated.</b></p>

1998	2006	Differences/Comments
<p>and use funds collected by the Federal Government from fees for the use of property, rights-of-way, and easements under the control of Federal departments and agencies for the placement of telecommunications services that are dependent, in whole or in part, upon the utilization of general spectrum rights for the transmission or reception of such services.</p>		
<p><b>“SEC. 318. PARTICIPATION OF PRIVATE SCHOOL PERSONNEL.</b></p> <p>“An eligible agency or eligible recipient that uses funds under this Act for in-service and pre-service vocational and technical education professional development programs for vocational and technical education teachers, administrators, and other personnel may, upon request, permit the participation in such programs of vocational and technical education teachers, administrators, and other personnel in nonprofit private schools offering vocational and technical education programs located in the geographical area served by such agency or recipient.</p>	<p><b>“SEC. 317. PARTICIPATION OF PRIVATE SCHOOL PERSONNEL AND CHILDREN.</b></p> <p>“(a) <i>Personnel.</i>--An eligible agency or eligible recipient that uses funds under this Act for in-service and pre-service career and technical education professional development programs for career and technical education teachers, administrators, and other personnel shall, to the extent practicable, upon written request, permit the participation in such programs of career and technical education secondary school teachers, administrators, and other personnel in nonprofit private schools offering career and technical secondary education programs located in the</p>	<p><b>Similar provision to current law that requires eligible recipients to include, to the “extent practicable” private school personnel in professional development.</b></p>

1998	2006	Differences/Comments
	geographical area served by such eligible agency or eligible recipient.	
	<p>``(b) <i>Student Participation</i>.--</p> <p>``(1) <b>STUDENT PARTICIPATION</b>.--Except as prohibited by State or local law, an eligible recipient may, upon written request, use funds made available under this Act to provide for the meaningful participation, in career and technical education programs and activities receiving funding under this Act, of secondary school students attending nonprofit private schools who reside in the geographical area served by the eligible recipient.</p>	<p><b>Allows secondary students attending non-profit private secondary schools to participate in CTE programs and activities (within their geographical area) supported by Perkins offered in public schools.</b></p>
	<p>``(2) <b>CONSULTATION</b>.--An eligible recipient shall consult, upon written request, in a timely and meaningful manner with representatives of nonprofit private schools in the geographical area served by the eligible recipient described in paragraph (1) regarding the meaningful participation, in career and technical education programs and activities receiving funding under this Act, of secondary school students attending nonprofit</p>	<p><b>This provision requires eligible recipients to consult, upon written request, with representatives from non-profit private schools in the geographical area regarding the participation of non-profit private secondary school students in CTE programs and activities.</b></p>

1998	2006	Differences/Comments
	private schools.	
<p><b>“SEC. 324. LIMITATION ON FEDERAL REGULATIONS.</b></p> <p>“The Secretary may issue regulations under this Act only to the extent necessary to administer and ensure compliance with the specific requirements of this Act.</p>	<p><b>“SEC. 318. LIMITATION ON FEDERAL REGULATIONS.</b></p> <p>“The Secretary may issue regulations under this Act only to the extent necessary to administer and ensure compliance with the specific requirements of this Act.</p>	<p><b>No change.</b></p> <p><b>The way this provision was interpreted under Perkins III was to provide states guidance through memos instead of regulations.</b></p>
<p><b>“PART B—STATE ADMINISTRATIVE PROVISIONS</b></p> <p><b>“SEC. 321. JOINT FUNDING.</b></p> <p><b>“(a) GENERAL AUTHORITY.—</b>Funds made available to eligible agencies under this Act may be used to provide additional funds under an applicable program if—</p> <p>“(1) such program otherwise meets the requirements of this Act and the requirements of the applicable program;</p>	<p><b>“PART B--STATE ADMINISTRATIVE PROVISIONS</b></p> <p><b>“SEC. 321. JOINT FUNDING.</b></p> <p>“(a) <i>General Authority.</i>--Funds made available to eligible agencies under this Act may be used to provide additional funds under an applicable program if--</p> <p>“(1) such program otherwise meets the requirements of this Act and the requirements of the applicable program;</p>	<p><b>No change.</b></p>
<p>“(2) such program serves the same individuals that are served under this Act;</p>	<p>“(2) such program serves the same individuals that are served under this Act;</p>	<p><b>No change.</b></p>
<p>“(3) such program provides services in a coordinated manner with services provided under this Act; and</p>	<p>“(3) such program provides services in a coordinated manner with services provided under this Act; and</p>	<p><b>No change.</b></p>

1998	2006	Differences/Comments
“(4) such funds are used to supplement, and not supplant, funds provided from non-Federal sources.	“(4) such funds are used to supplement, and not supplant, funds provided from non-Federal sources.	No change.
<p><b>“(b) APPLICABLE PROGRAM.</b>—For the purposes of this section, the term ‘applicable program’ means any program under any of the following provisions of law: ‘</p> <p>‘(1) Chapters 4 and 5 of subtitle B of title I of Public Law 105–220.</p> <p>“(2) The Wagner-Peyser Act.</p>	<p>“(b) <i>Applicable Program.</i>--For the purposes of this section, the term ‘applicable program’ means any program under any of the following provisions of law:</p> <p>“(1) Chapters 4 and 5 of subtitle B of title I of Public Law 105-220.</p> <p>“(2) The Wagner-Peyser Act.</p>	<p>No change.</p> <p><b>Public Law 105-220 is the Workforce Investment Act.</b></p>
<p><b>“(c) USE OF FUNDS AS MATCHING FUNDS.</b>—For the purposes of this section, the term ‘additional funds’ does not include funds used as matching funds.</p>	<p>“(c) <i>Use of Funds as Matching Funds.</i>--For the purposes of this section, the term ‘additional funds’ does not include funds used as matching funds.</p>	No change.
<p><b>“SEC. 322. PROHIBITION ON USE OF FUNDS TO INDUCE OUT-OF-STATE RELOCATION OF BUSINESSES.</b></p> <p>“No funds provided under this Act shall be used for the purpose of directly providing incentives or inducements to an employer to relocate a business enterprise from one State to another State if such relocation will result in a reduction in the number of jobs available in</p>	<p>“(SEC. 322. PROHIBITION ON USE OF FUNDS TO INDUCE OUT-OF-STATE RELOCATION OF BUSINESSES.</p> <p>“(No funds provided under this Act shall be used for the purpose of directly providing incentives or inducements to an employer to relocate a business enterprise from one State to another State if such relocation will result in a reduction in the number of jobs</p>	No change.



1998	2006	Differences/Comments
the State where the business enterprise is located before such incentives or inducements are offered.	available in the State where the business enterprise is located before such incentives or inducements are offered.	
<p><b>“SEC. 323. STATE ADMINISTRATIVE COSTS.</b></p> <p><b>“(a) GENERAL RULE.</b>—Except as provided in subsection (b), for each fiscal year for which an eligible agency receives assistance under this Act, the eligible agency shall provide, from non-Federal sources for the costs the eligible agency incurs for the administration of programs under this Act an amount that is not less than the amount provided by the eligible agency from non-Federal sources for such costs for the preceding fiscal year.</p>	<p><b>“SEC. 323. STATE ADMINISTRATIVE COSTS.</b></p> <p><b>“(a) General Rule.</b>--Except as provided in subsection (b), for each fiscal year for which an eligible agency receives assistance under this Act, the eligible agency shall provide, from non-Federal sources for the costs the eligible agency incurs for the administration of programs under this Act, an amount that is not less than the amount provided by the eligible agency from non-Federal sources for such costs for the preceding fiscal year.</p>	<p><b>No change.</b></p>
<p><b>“(b) EXCEPTION.</b>—If the amount made available for administration of programs under this Act for a fiscal year is less than the amount made available for administration of programs under this Act for the preceding fiscal year, the amount the eligible agency is required to provide from non-Federal sources for costs the eligible agency incurs for administration of programs under this Act shall be the same</p>	<p><b>“(b) Exception.</b>--If the amount made available from Federal sources for the administration of programs under this Act for a fiscal year (referred to in this section as the `determination year') is less than the amount made available from Federal sources for the administration of programs under this Act for the preceding fiscal year, then the amount the eligible agency is required to provide from non-</p>	<p><b>No effective change.</b></p> <p><b>Language was expanded to clarify that if the federal allotment is reduced, then state admin match will also be reduced by the same ratio.</b></p>

1998	2006	Differences/Comments
percentage as the amount made available for administration of programs under this Act.	Federal sources for costs the eligible agency incurs for the administration of programs under this Act for the determination year under subsection (a) shall bear the same ratio to the amount the eligible agency provided from non-Federal sources for such costs for the preceding fiscal year, as the amount made available from Federal sources for the administration of programs under this Act for the determination year bears to the amount made available from Federal sources for the administration of programs under this Act for the preceding fiscal year.	
<p><b>“SEC. 325. STUDENT ASSISTANCE AND OTHER FEDERAL PROGRAMS.</b></p> <p><b>“(a) ATTENDANCE COSTS NOT TREATED AS INCOME OR RESOURCES.</b>—The portion of any student financial assistance received under this Act that is made available for attendance costs described in subsection (b) shall not be considered as income or resources in determining eligibility for assistance under any other program funded in whole or in part with Federal funds.</p>	<p><b>“SEC. 324. STUDENT ASSISTANCE AND OTHER FEDERAL PROGRAMS.</b></p> <p><i>“(a) Attendance Costs Not Treated as Income or Resources.--</i>The portion of any student financial assistance received under this Act that is made available for attendance costs described in subsection (b) shall not be considered as income or resources in determining eligibility for assistance under any other program funded in whole or in part with Federal funds.</p>	No change.

1998	2006	Differences/Comments
<p><b>“(b) ATTENDANCE COSTS.—</b> The attendance costs described in this subsection are—</p> <p>“(1) tuition and fees normally assessed a student carrying an academic workload as determined by the institution, and including costs for rental or purchase of any equipment, materials, or supplies required of all students in that course of study; and</p> <p>“(2) an allowance for books, supplies, transportation, dependent care, and miscellaneous personal expenses for a student attending the institution on at least a half-time basis, as determined by the institution.</p>	<p>“(b) <i>Attendance Costs.</i>--The attendance costs described in this subsection are--</p> <p>“(1) tuition and fees normally assessed a student carrying an academic workload as determined by the institution, and including costs for rental or purchase of any equipment, materials, or supplies required of all students in that course of study; and</p> <p>“(2) an allowance for books, supplies, transportation, dependent care, and miscellaneous personal expenses for a student attending the institution on at least a half-time basis, as determined by the institution.</p>	<p><b>No change.</b></p>
<p><b>“(c) COSTS OF VOCATIONAL AND TECHNICAL EDUCATION SERVICES.—</b> Funds made available under this Act may be used to pay for the costs of vocational and technical education services required in an individualized education plan developed pursuant to section 614(d) of the Individuals with Disabilities Education Act and services necessary to meet the requirements of section 504 of the Rehabilitation Act of 1973 with</p>	<p>“(c) <i>Costs of Career and Technical Education Services.</i>— Funds made available under this Act may be used to pay for the costs of career and technical education services required in an individualized education program developed pursuant to section 614(d) of the Individuals with Disabilities Education Act and services necessary to meet the requirements of section 504 of the Rehabilitation Act of 1973 with respect to ensuring equal access to</p>	<p><b>No change.</b></p>

1998	2006	Differences/Comments
respect to ensuring equal access to vocational and technical education.”.	career and technical education.”.	
<p><b>SEC. 2. PROMOTING SCHOLAR-ATHLETE COMPETITIONS.</b></p> <p>Section 10104 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8004) is amended—</p> <p>(1) in subsection (a), by striking “to be held in 1995” and inserting “to be held in 1999”; and</p> <p>(2) in subsection (b)—</p> <p>(A) in paragraph (4), by striking “in the summer of 1995” and inserting “in the summer of 1999”;</p> <p>(B) in paragraph (5), by striking “in 1996 and thereafter, as well as replicate such program”; and</p> <p>(C) in paragraph (6), by striking “1995” and inserting “1999”.</p>		Section removed.
<p><b>SEC. 3. REFERENCES TO CARL D. PERKINS VOCATIONAL AND APPLIED TECHNOLOGY EDUCATION ACT.</b></p> <p><b>(a) IMMIGRATION AND NATIONALITY ACT.</b>—Section 245A(h)(4)(C) of the Immigration and Nationality Act (8 U.S.C. 1255a(h)(4)(C)) is amended by striking “Vocational Education Act of 1963” and inserting “Carl</p>	<p><b>SEC. 2. TECHNICAL AMENDMENTS TO OTHER LAWS.</b></p> <p>(a) <i>Immigration and Nationality Act.</i>—Section 245A(h)(4)(C) of the Immigration and Nationality Act (8 U.S.C. 1255a(h)(4)(C)) is amended by striking “Carl D. Perkins Vocational and Technical Education Act of 1998” and</p>	

1998	2006	Differences/Comments
D. Perkins Vocational and Technical Education Act of 1998’’. .	inserting ‘‘The Carl D. Perkins Career and Technical Education Act of 2006’’.	
<p><b>(b) NATIONAL DEFENSE AUTHORIZATION ACT.</b>—Section 4461 of the National Defense Authorization Act for Fiscal Year 1993 (10 U.S.C. 1143 note) is amended—</p> <p>(1) by striking paragraph (4); and</p> <p>(2) by redesignating paragraphs (5) and (6) as paragraphs (4) and (5), respectively.</p>	<p>(b) <i>Trade Act of 1974.</i>—The Trade Act of 1974 (19 U.S.C. 2101 et seq.) is amended--</p> <p>(1) in section 231(c)(1)(F) (19 U.S.C. 2291(c)(1)(F))--</p> <p>(A) by striking ‘‘area vocational education schools’’ and inserting ‘‘area career and technical education schools’’; and</p> <p>(B) by striking ‘‘Carl D. Perkins Vocational and Technical Education Act of 1998’’ and inserting ‘‘Carl D. Perkins Career and Technical Education Act of 2006’’; and</p> <p>(2) in section 236(a)(1)(D) (19 U.S.C. 2296(a)(1)(D)), by striking ‘‘area vocational’’ and all that follows through ‘‘Act of 1963’’ and inserting ‘‘area career and technical education schools, as defined in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006’’.</p>	
<b>(c) ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.</b> —	(c) <i>Higher Education Act of 1965.</i> —The Higher Education Act of 1965 (20 U.S.C. 1001 et seq.) is	

1998	2006	Differences/Comments
<p>The Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) is amended—</p> <p>(1) in section 1114(b)(2)(C)(v) (20 U.S.C. 6314(b)(2)(C)(v)), by striking “Carl D. Perkins Vocational and Applied Technical Education Act” and inserting “Carl D. Perkins Vocational and Technical Education Act of 1998”;</p>	<p>amended--</p> <p>(1) in section 102(a)(3)(A) (20 U.S.C. 1002(a)(3)(A))--</p> <p>(A) by striking “section 521(4)(C)” and inserting “section 3(3)(C)”; and</p> <p>(B) by striking “Carl D. Perkins Vocational and Applied Technology Education Act” and inserting “Carl D. Perkins Career and Technical Education Act of 2006”; and</p> <p>(2) in section 484(l)(1)(B)(i) (20 U.S.C. 1091(l)(1)(B)(i)), by striking “section 521(4)(C) of the Carl D. Perkins Vocational and Technical Education Act of 1998” and inserting “section 3(C) of the Carl D. Perkins Career and Technical Education Act of 2006”.</p>	
<p>(2) in section 9115(b)(5) (20 U.S.C. 7815(b)(5)), by striking “Carl D. Perkins Vocational and Technical Education Act” and inserting “Carl D. Perkins Vocational and Technical Education Act of 1998”;</p>	<p>(d) <i>Education for Economic Security Act</i>.--Section 3(1) of the Education for Economic Security Act (20 U.S.C. 3902(1)) is amended--</p> <p>(1) by striking “area vocational education school” and inserting “area career and technical</p>	

1998	2006	Differences/Comments
	<p>education school"; and</p> <p>(2) by striking ``section 521(3) of the Carl D. Perkins Vocational Educational Act.." and inserting ``section 3(3) of the Carl D. Perkins Career and Technical Education Act of 2006".</p>	
<p>(3) in section 14302(a)(2) (20 U.S.C. 8852(a)(2))—</p> <p>(A) by striking subparagraph (C); and</p> <p>(B) by redesignating subparagraphs (D), (E), and (F) as subparagraphs (C), (D), and (E), respectively; and</p>	<p>(e) <i>Education Flexibility Partnership Act of 1999</i>.--Section 4(b)(2) of the Education Flexibility Partnership Act of 1999 (20 U.S.C. 5891b(b)(2)) is amended by striking ``Carl D. Perkins Vocational and Technical Education Act of 1998" and inserting ``Carl D. Perkins Career and Technical Education Act of 2006".</p>	
<p>(4) in the matter preceding subparagraph (A) of section 14307(a)(1) (20 U.S.C. 8857(a)(1)), by striking “Carl D. Perkins Vocational and Applied Technology Technical Education Act” and inserting “Carl D. Perkins Vocational and Technical Education Act of 1998”.</p>	<p>(f) <i>Elementary and Secondary Education Act of 1965</i>.--The Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) is amended--</p> <p>(1) in section 1111(a)(1) (20 U.S.C. 6311(a)(1)), by striking ``Carl D. Perkins Vocational and Technical Education Act of 1998" and inserting ``Carl D. Perkins Career and Technical Education Act of 2006";</p> <p>(2) in section 1112(a)(1) (20</p>	

1998	2006	Differences/Comments
	<p>U.S.C. 6312(a)(1)), by striking ``Carl D. Perkins Vocational and Technical Education Act of 1998" and inserting ``Carl D. Perkins Career and Technical Education Act of 2006";</p> <p>(3) in section 1114(b)(2)(B)(v) (20 U.S.C. 6314(b)(2)(B)(v)), by striking ``Carl D. Perkins Vocational and Technical Education Act of 1998" and inserting ``the Carl D. Perkins Career and Technical Education Act of 2006"; and</p> <p>(4) in section 7115(b)(5) (20 U.S.C. 7425(b)(5)), by striking ``Carl D. Perkins Vocational and Technical Education Act of 1998" and inserting ``Carl D. Perkins Career and Technical Education Act of 2006".</p>	
<p><b>(d) EQUITY IN EDUCATIONAL LAND-GRANT STATUS ACT OF 1994.</b>—Section 533(c)(4)(A) of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note) is amended by striking “(20 U.S.C. 2397h(3))” and inserting “, as such section was in effect on the day preceding the date of enactment of the Carl D. Perkins Vocational and Applied</p>		



1998	2006	Differences/Comments
Technology Education Amendments of 1998”.		
<p><b>(e) IMPROVING AMERICA’S SCHOOLS ACT OF 1994.—</b>  Section 563 of the Improving America’s Schools Act of 1994 (20 U.S.C. 6301 note) is amended by striking “the date of enactment of an Act reauthorizing the Carl D. Perkins Vocational and Technical Education Act (20 U.S.C. 2301 et seq.)” and inserting “July 1, 1999”.</p>		
<p><b>(f ) WORKFORCE INVESTMENT ACT OF 1998.—</b>  Section 101(3) of the Workforce Investment Act of 1998 (29 U.S.C. 2801(3)) is amended by striking “section 521 of the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2471)” and inserting “section 3 of the Carl D. Perkins Vocational and Technical Education Act of 1998”.</p>		
<p><b>(g) APPALACHIAN REGIONAL DEVELOPMENT ACT OF 1965.—</b>Section 214(c) of the Appalachian Regional Development Act of 1965 (40 U.S.C. App. 214(c)) is amended by striking “Carl D. Perkins Vocational Education Act” and inserting “Carl D. Perkins</p>		

1998	2006	Differences/Comments
Vocational and Technical Education Act of 1998”.		
<p><b>(h) VOCATIONAL EDUCATION AMENDMENTS OF 1968.</b>—Section 104 of the Vocational Education Amendments of 1968 (82 Stat. 1091) is amended by striking “section 3 of the Carl D. Perkins Vocational Education Act” and inserting “the Carl D. Perkins Vocational and Technical Education Act of 1998”.</p>		
<p><b>(i) OLDER AMERICANS ACT OF 1965.</b>—The Older Americans Act of 1965 (42 U.S.C. 3001 et seq.) is amended—</p> <p>(1) in section 502(b)(1)(N)(i) (42 U.S.C. 3056(b)(1)(N)(i)), by striking “or the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2301 et seq.)”; and</p> <p>(2) in section 505(d)(2) (42 U.S.C. 3056c(d)(2))—</p> <p>(A) by striking “employment and training programs” and inserting “workforce investment activities”; and</p> <p>(B) by striking “the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2301 et seq.)” and inserting “the Carl D. Perkins Vocational and Technical</p>		

1998	2006	Differences/Comments
Education Act of 1998”.		
<p><b>SEC. 4. ADULT EDUCATION AND FAMILY LITERACY.</b>  The Adult Education and Family Literacy Act (20 U.S.C. 9201 et seq.) is amended—</p> <p>(1) in section 224, by adding at the end the following: “(g) TRANSITION.—The provisions of this section shall be subject to section 506(b).”; and</p> <p>(2) by amending paragraph (2) of section 506(b) to read as follows: “(2) LIMITATION.—The authority to take actions under paragraph (1) shall apply until July 1, 2000.”.</p>		
<p><b>SEC. 5. TECHNICAL AND CONFORMING AMENDMENTS.</b>  (a) WORKFORCE INVESTMENT ACT OF 1998.—Section 121 of the Workforce Investment Act of 1998 (29 U.S.C. 2841) is amended—</p> <p>(1) in subsection (b)(1)(B)(iv), by inserting before the semicolon the following: “(other than part C of title I of such Act and subject to subsection (f ))”; and (2) by adding at the end the following:</p>		
<p>“(f ) APPLICATION TO CERTAIN VOCATIONAL REHABILITATION</p>		

1998	2006	Differences/Comments
<p>PROGRAMS.—</p> <p>“(1) LIMITATION.—Nothing in this section shall be construed to apply to part C of title I of the Rehabilitation Act of 1973 (29 U.S.C. 741).</p> <p>“(2) CLIENT ASSISTANCE.—Nothing in this Act shall be construed to require that any entity carrying out a client assistance program authorized under section 112 of the Rehabilitation Act of 1973 (29 U.S.C. 732)—</p> <p>“(A) violate the requirement of section 112(c)(1)(A) of that Act that the entity be independent of any agency which provides treatment, services, or rehabilitation to individuals under that Act; or</p> <p>“(B) carry out any activity not authorized under section 112 of that Act (including appropriate Federal regulations).”.</p>		
<p>(b) WAGNER-PEYSER ACT.—</p> <p>(1) IN GENERAL.—Section 15 of the Wagner-Peyser Act (as added by section 309 of the Workforce Investment Act of 1998) is amended—</p> <p>(A) in subsection (a)(2)(A)(i), by striking “under” and all that follows through “for which” and inserting “under the provisions of this section for any purpose other</p>		

1998	2006	Differences/Comments
<p>than the statistical purposes for which’’; and            (B) in subsection (e)(2)(G), by striking ‘‘complementary’’ and inserting ‘‘complementarity’’.            (2) EFFECTIVE DATE.—The amendments made by paragraph (1) take effect July 2, 1999.</p>		
<p>(c) REHABILITATION ACT OF 1973.—Sect, 725(c)(7) of the Rehabilitation Act of 1973 (as amended by section 410 of WIA of 1998) is amended by striking ‘‘management,’’ and all that follows and inserting ‘‘management;’’.</p>		
<p><b>SEC. 6. REPEALS AND EXTENSIONS OF PREVIOUS HIGHER EDUCATION AMENDMENTS PROVISIONS.</b>            (a) HIGHER EDUCATION AMENDMENTS OF 1986.—Title XIII of the Higher Education Amendments of 1986 (Public Law 99–498) is repealed.            (b) HIGHER EDUCATION AMENDMENTS OF 1992.—The following provisions of the Higher Education Amendments of 1992 (Public Law 102–325) are repealed:            (1) Parts E, F, and G of title XIII.            (2) Title XIV.            (3) Parts A, B, C, and D of title XV.</p>		

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